CALIFORNIA STATE ARCHIVES
STATE GOVERNMENT ORAL HISTORY PROGRAM

INTERVIEW WITH MILTON MARKS

Vol. 1

OFFICE OF
BILL JONES
SECRETARY OF STATE

California State Archives
State Government Oral History Program

Oral History Interview
with

MILTON MARKS

California State Assembly 1958-1966
California State Senate 1967-1996

January 23, 1996, January 24, 1996,
January 25, 1996, February 27, 1996,
February 28, 1996
Sacramento, California

By Donald B. Seney
California State Archives

Volume One

TABLE OF CONTENTS

INTERVIEW HISTORY i

BIOGRAPHICAL SUMMARY ii

SESSION 1, January 23, 1996

[Tape 1, Side A] 1

Grandparents and Parents--The political career of Senator Marks' father--Memories of childhood--Milton Marks, Sr.'s career as a legislator and an attorney--Why the Marks family was Republican--Senator Marks' mother--Milton Marks, Sr.'s term on the San Francisco Board of Supervisors--Growing up in the Richmond District--Going to School--Acquiring political values--Attending Galileo High School--Stanford University.

[Tape 1, Side B] 21

Stanford University--The coming of WWII--Military Service--The Phillippines During the War--Serving as a legal officer--Japan at the end of the War--Retiring to the United States--The Great Depression.

SESSION 2, January 24, 1996

[Tape 2, Side A] 43

Returning from World War II--Going back to Law School--Practicing law--Running for the Assembly in 1952 and later--Mrs. Caroline Marks--The 1958 Campaign for the Assembly--Senator William F. Knowland and the 1958 Election.

[Tape 2, Side B] 65

Winning an Assembly seat in 1958--Senator Thomas H. Kuchel--The Republican Party turns conservative--The effect of the 1958 election in California on the Republican Party--Entering the Assembly--Governor Pat Brown--Being a Republican in San Francisco--The 1959 Legislative session and the Brown Open Meeting Act--Jesse M. Unruh.

[Tape 3, Side A] 87

Jesse M. Unruh--The Growth of Assembly staff--Relations with constituents--The Republican leader in the 1959 Legislative Session--Favorite member of the Assembly--More about Jesse Unruh--Governor Ronald Reagan--Jesse Unruh--The 1960 Election--Phil Burton, George Moscone, George Christopher--Re-Apportionment in the 1961 Session--Bob Crown.

[Tape 3, Side B] 108

Bob Crown--Re-apportionment after the 1960 Census--Becoming chair of the Constitutional Amendment Committee and handling issues before the Committee; Communism, Re-Apportionment bingo--The 1962 Elections--The 1963 Legislative Session--Others who had represented the 21st District.

SESSION 3, January 24, 1996

[Tape 4, Side A] 130

Cigarette Tax Bill--A Constitutional Amendment on open meetings--Creation of the Little Hoover Commission--Other legislation proposed and opposed by Assemblyman Marks--Proposition 14, the Rumford Fair Housing Act--The 1964 Election--The legislature during the 1960's--1964 Republican Convention in San Francisco and supporting Governor Nelson Rockefeller--The 1964 Campaign--The 1965 Legislative Session and the issue of Re-apportionment.

[Tape 4, Side B] 155

Reapportionment in 1965--Losing a seat and being appointed municipal judge--What it was like to be a judge --Running for the State Senate in 1967.

[Tape 5, Side A] 177

1967 race for the State Senate--Serving in the Senate--Senator Hugh Burns--Differences between the Assembly and the Senate--Committee assignments in the Senate--Lt. Governors of California--Senator Marks' Legislation during his first term in the Senate--1968 Campaign for the Senate--Governor Reagan--The 1968 Election Generally--The 1972 Election.

[Tape 5, Side B] 200

The 1972 Campaign--Legislative priorities in the Senate--Relations with Constituents-- Mrs. Marks runs for San Francisco Supervisor--Governor Reagan after the 1970 election.

SESSION 4, January 25, 1996

[Tape 6, Side A] 211

Winston Churchill--Travels--Interests in Environmental issues--Local Government Issues--BART--Working with Senator Moscone--More about BART--The question of legislative pay--The mini-bus mobile office--The leadership battle in the Senate after 1970.

[Tape 6, Side B] 230

The leadership battle in the Senate after 1970 election--Senator Randolph Collier--The Senate Rules Committee and Committee appointments--Changes in the Transportation Committee under James Mills--Other changes in Leadership--Schrade replaces Way--Mills replaces Schrade--George Deukmejian--Problems for Schrade--Gun Control legislation--The Bay Conservation and Development Act--Farewell tribute when Senator Marks left Assembly--1970 Reapportionment--The 1972 Election.

[Tape 7, Side A] 252

Senator Marks' relationship with Willie Brown--The 1972 Senate Campaign--The issues in the 1972 Campaign--A big victory in 1972--Mrs. Marks' Campaign for the Board of Supervisors--Mrs. Marks' contributions to Senator Marks' career--The perils of listing address and phone number--The 1972 Election Generally--H.L. Richardson--Voting to override a Reagan veto.

[Tape 7, Side B] 276

The Senator's Partisan Split after the 1972 election--The Indian Affairs Committee and the location of the Governor's Mansion--Legislation Sponsored by Senator Marks' from 1959 on--Open meeting legislation--Early environmental legislation--Financing Laws--Establishing the California Arts Commission--Legislation dealing with Treatment for alcoholism--Commission on the Status of Women--Other legislation--Legislation dealing with the disabled.

SESSION 5, February 27, 1996

[Tape 8, Side A] 297

Voting to override a veto by Governor Reagan--Meetings at Governor Reagan's home--Running for Mayor in 1975--Prominent Political People in San Francisco--The outcome of the Election for Mayor--Harvey Milk--Gay Politics.

INTERVIEW HISTORY

Interviewer/Editor

Donald B. Seney
Professor, Department of Government
California State University, Sacramento
B.A., Political Science, San Jose State College
M.A., Ph.D., Political Science, University of Washington, Seattle

Interview Time and Place

January 23, 1996
Marks' Office in Sacramento, California.
Session of one hour.

January 24, 1996 (morning)
Marks' Office in Sacramento, California.
Session of two hours.

January 24, 1996 (afternoon)
Marks' Office in Sacramento, California.
Session of two hours.

January 25, 1996
Marks' Office in Sacramento, California.
Session of two hours.

February 27, 1996
Marks' Office in Sacramento, California.
Session of two hours.

February 28, 1996 (morning)
Marks' Office in Sacramento, California.
Session of two hours.

February 28, 1996 (afternoon)
Marks' Office in Sacramento, California.
Session of one hour and twenty minutes.

Editing

Donald Seney checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing and spelling and verified proper names. Insertions by the editor were bracketed. The interviewer prepared the introductory materials.

Mr. Marks reviewed and returned the edited transcript.

Papers

Senator Marks made many boxes of private papers available for review by the interviewer. Those papers have been returned and remain in the custody of Senator Marks.

Tapes and Interview Records

The original tape recordings of the interview are in the University Archives, at California State University, Sacramento. Master tapes are preserved at the California State Archives.

BIOGRAPHICAL SUMMARY

Milton Marks was born on July 22, 1920, in San Francisco, California. Marks attended public schools in San Francisco and received a B.A. degree in Political Science from Stanford University.

During World War II he served in combat in the Pacific theater and was stationed in Japan for a brief period of time at the end of the war. He was involved in combat operations in the Philippines. After his return, Marks studied law and received his law degree from San Francisco Law School in 1949.

A third generation San Franciscan, Marks followed his father into politics. Milton Marks Sr. had served on the San Francisco Board of Supervisors as well as one term in the California State Assembly. On his third attempt in 1958, Marks was elected to the Assembly as a Republican in an overwhelming Democratic year. He continued to be elected in a Democratic District until Reapportionment eliminated his district in 1966. Governor Pat Brown then appointed Marks to a Municipal Court Judgeship. He served for less than one year when he ran successfully for a State Senate seat that had become available upon the death of State Senator J. Eugene McAteer in 1967; Marks defeated Assemblyman John Burton. Marks has been re-elected in every election since then. He left office in 1996 as a result of term limits initiative approved by the voters in 1990. In 1982, Marks ran unsuccessfully for the U.S. House of Representatives against Congressman Phillip Burton.

During his long career Marks sponsored legislation in many areas including: government re-organization, civil rights, consumer protection, abortion rights, gay rights, housing, the environment, and programs for the disabled.

Until 1984 he served as a Republican and despite being in the minority in both the Assembly and the Senate he held committee chairmanships. In the Assembly, Speaker Jesse Unruh named him head of the Constitutional Amendments Committee, the same committee that his father had chaired when he served in the Assembly. In 1971, as a Republican member of the Senate, he was appointed by the Democratic majority to chair the Local Government Committee. He held that chairmanship until 1986. In 1984 Marks switched to the Democratic Party and was immediately named to the leadership as Democratic Caucus Chair. In 1986 he was named to head the Elections Committee and in 1990 was given the responsibility of presiding over the 1990 reapportionment of the Senate. In 1994 he was named to chair the Criminal Procedure Committee, a post he held until he left the Senate in 1996.

Session 1, January 23, 1996

[Begin Tape 1, Side A]

SENEY: Today is Tuesday, January 23, 1996. My name is Donald Seney. I'm with Senator Milton Marks in his office in Sacramento, California. Good afternoon, Senator.

MARKS: Good afternoon. I'm glad to be here.

SENEY: Thank you. Me too. Let's start this by you telling me a little bit about your family, about your parents. You can choose your mother, your father, either one.

MARKS: My father Milton Marks was born on September 17, 1892, in San Francisco. He went to Lowell High School. He was the president of the student body at Lowell High School when he was there.

SENEY: Was Lowell a prestigious high school then as it is now?

MARKS: Very. He often said he learned more at Lowell than he did at the University of California.

SENEY: Is that right?

MARKS: And he was very active in debate. He did a lot of debating, and a lot of

good friends he had there.

SENEY: Maybe I should have started a little further back, because if he was born there, obviously your grandparents lived in San Francisco.

MARKS: He was the son of Mannheim Marks, who came from Germany, and Adelaide Marks, who came from England, and they came here in about 1860, I guess.

SENEY: That was early. What did your grandfather do?

MARKS: He ran a department store. He sold -- what kind of goods? -- it was like Nathan Dorman.

SENEY: Dry goods kind of store?

MARKS: Dry goods.

SENEY: Do you remember him? Did you meet him?

MARKS: I met him when I was three years old. I don't remember him, but I did meet him. My grandmother died in 1914, before I was born.

SENEY: Right. Well, go ahead; tell me a little more about your father.

MARKS: My father was a very outstanding young man. He was a man who didn't have any money, had practically no money at all, and he tutored young men at the University of California when he went there. He gave a lot of lessons in education to people at the University of California.

SENEY: And that's how he made his way and paid his tuition?

MARKS: That's right. He was Phi Beta Kappa and he did very well. He won the

Carnot debate, which was a very prestigious debating medal given by France. He won that. He was an outstanding young man. His law school training consisted of a senior year in college. That's all he had in law school. That's the only legal training he ever had.

SENEY: Did he read the law then?

MARKS: Yes. His senior year at the University of California. And he was a member of the Golden Bear Society and a lot of other organizations at the University of California. He didn't like the University of California too much. He worked very hard. He never attended a reunion because he felt very unhappy with the University of California.

SENEY: Is that why you went to Stanford?

MARKS: No, no, no. I just went to Stanford because a lot of my friends did.

SENEY: Okay. I thought maybe he had something to do with that too.

MARKS: No. And he ran for the Assembly in 1917 when he was 23 years old, and he won the Republican nomination. The nomination was important in California at that time, and he won that, and he was elected to the Assembly in 1917. He was so young that someone looked at him as a sergeant-at-arms. Someone called him a sergeant-at-arms trying to help. He served in the State Assembly one term and then he left to become assistant city attorney of San Francisco, and then he was sort of a lobbyist for San Francisco, representing San Francisco. After that, a lobbyist for

Cal [the University of California] -- at Sacramento.

SENEY: And he was also elected to the [San Francisco] board of supervisors.

MARKS: He was elected to the board of supervisors after he left the Assembly in 1919. And he was elected on a term of office where they were throwing all the supervisors out and he was elected on a reform ticket.

SENEY: What had been going on that caused the voters to throw everyone out?

MARKS: I don't know, they didn't like them too much.

SENEY: Was there a scandal, corruption, did he ever say?

MARKS: There may have been; I'm not sure.

SENEY: Why did he just serve one term in the Assembly? Did he ever tell you?

MARKS: He just served one term in the Assembly. I think he served in the Assembly one term because the pay was $100 a month. He couldn't afford it.

SENEY: Was he married by this time?

MARKS: No. He got married right after, in 1918.

SENEY: Because you were born in 1920, am I right?

MARKS: That's right. I was born in 1920.

SENEY: What is your birth month?

MARKS: July 22, 1920. He was married on June 12, 1918 to my mother.

SENEY: What did your mother Olita Marks do? Was she a homemaker as was the style in those days?

MARKS: My mother was basically a homemaker. She didn't do too much. She was a very intelligent woman but didn't do too much.

SENEY: What do you remember about them as an influence on your life?

MARKS: I think my father was in particular. My mother was a very lovely woman. She took very good care of me. I remember her, when she was 25 years old, going to play bridge. That was a long time ago, because she died when she was over 60.

SENEY: When did she die, Senator?

MARKS: She died in 1960.

SENEY: In 1960.

MARKS: She died when she was 60.

SENEY: What did she make of your going into politics?

MARKS: My mother liked it very much. She was very proud of me. My father was not living at the time.

SENEY: When did your father die? What year?

MARKS: Nineteen Fifty.

SENEY: Nineteen Fifty. So that was before you had even run for office the first time.

MARKS: Right. I think I ran for office because I wanted to do something on my own. I'd been called Milton Marks, Jr. for many years. I wanted to be Milton Marks.

SENEY: I see. Before we get into that, I want to talk about your childhood. What are your first memories?

MARKS: I remember my sister very much. I remember playing with her quite a bit. She was two years younger than I was. She's since died. I remember playing with her quite a bit. We lived at Seacliff in San Francisco. I remember going out on the street all the time, playing football all the time. I did that quite a bit. I remember belonging to a club run by people named Moskavitz. Alfred and Leonard Moskavitz. And they said I could be the president of the club if my name were Moskavitz. I couldn't be the president otherwise.

SENEY: What kind of a club was it? A kids' club?

MARKS: A kids' club. I remember they had a big book of comics which we used to read all the time. I went to his father's place on Lake Street which was about a block away from where I lived.

SENEY: Right.

MARKS: My father was a very good legislator. He was extremely able. He became the chair of the Constitutional Amendments Committee.

SENEY: As you did later yourself.

MARKS: Yeah, I did. I later became that. And he became the chair of that when he was in the Assembly. I've read a lot of his books on what he did. I was very impressed with them.

SENEY: You know, one of the things that was in the files[1] of yours that I was able to look at was a picture of you taking your father's seat in the Assembly.

MARKS: That's right, I did.

SENEY: And it was a front row seat.

MARKS: That's right.

SENEY: Now, today that means something to have a front row seat, doesn't it?

MARKS: It does.

SENEY: In terms of a person's influence in the body. And I take it it probably meant something in 1917, 1918 when your father served.

MARKS: It must have been. I am not sure but they gave me the same seat that he had when he was in the Assembly. I loved that.

SENEY: I think that's wonderful too. And he was a committee chairman even though he was just in this short period of time. What was it about him and what maybe was it about the Assembly, if you could tell us, that would make a 23-year-old freshman member of certainly the majority party -- the Republicans were the majority party -- but what would make someone so young and so new influential enough to have a front row seat and a

---

[1] Senator Marks made his large collection of personal files, newspaper clippings, letters, memorandum, and personal items available to the interview. All these items remain in Mr. Marks' possession.

committee chairmanship? Do you know why that was?

MARKS: He was a very intelligent man. He was a Phi Beta Kappa and had done an awful lot at the University of California. He was an extremely intelligent man. And I think he was also a great speaker. A very good speaker.

SENEY: And as you know, working in the Legislature as long as you have, personality is a large factor. I would think he must have had an engaging personality. Did he as well?

MARKS: He did. Very charming. Tough but charming.

SENEY: How do you mean tough? Why do you say that?

MARKS: He was vigorous. He got angry at me lots of times.

SENEY: What for?

MARKS: Oh, I wouldn't do certain things that he was concerned about that I wouldn't follow along. I didn't do too well in school.

SENEY: And you'd hear about that.

MARKS: Oh, yeah. I used to hear it every month. When I'd get a report card, I would hear about it from my mother and father, both of whom were excellent students in school.

SENEY: Encouraging you, wanting the best for you clearly.

MARKS: I did.

SENEY: Do you remember any of the stories that he might have told you about politics in the Assembly? Did he ever talk to you much about what the

Assembly was like in that period?

MARKS: Well, I remember that his chief aide was my cousin, Nat Levy, who was an artist. He was about 18, I guess. My father was 23. He was the chief aide, I remember that. Of course, I wasn't born during those times, but I did hear quite a bit about his efforts and I read a lot of his press clippings. He was very active in criminal procedure. He was very much against the death penalty, as I've been against for years.

SENEY: So when he left the Legislature in 1918, he became the lobbyist for the City of San Francisco.

MARKS: He became Assistant City Attorney of San Francisco, and then he became a lobbyist to represent San Francisco. He came up here.

SENEY: At some point did he begin private practice, and leave the city attorney's office?

MARKS: Yes, he did. Early 1920s, something like that.

SENEY: Because when you say you lived in Seacliff, I take it Seacliff then, as now, was a prosperous neighborhood.

MARKS: It was. Part of it was not too prosperous because my mother and father bought their house for $10,000.

SENEY: I see. But I guess that would suggest to me, by this time he was probably doing pretty well in terms of private practice of law and so forth.

MARKS: He was doing pretty well. He was an excellent lawyer. He really was a

good lawyer.

SENEY: What kind of law did he practice?

MARKS: He practiced everything. One time he represented employers, and later on represented unions. He did everything.

SENEY: I'm curious to know why he was a Republican rather than a Democrat.

MARKS: Well, the Republican party was more progressive in those days. It was the days of [Governor] Hiram Johnson. It was a progressive party. It had a liberal stance. It was not as conservative as it is now. That's the reason why I became Republican principally.

SENEY: And became a Democrat recently.

MARKS: No, I was a Republican first.

SENEY: But that's the reason you became a Democrat.

MARKS: I was unhappy with the Republican party.

SENEY: And we'll get to that. I want to talk to you about that.

Tell me a little more about your mother. When was she born and where was she born?

MARKS: She was born May 2, 1897, in San Francisco also. She was the daughter of Hannah Meyer and Mark Meyer. Mark Meyer was a tailor in San Francisco. He used to come out and read the comics every Sunday. I remember him very well.

SENEY: Your grandfather.

MARKS: Yeah.

SENEY: What do you remember about your mother?

MARKS: She was a beautiful woman. Just beautiful. She looked like Colleen Moore. I don't know if you remember Colleen Moore.

SENEY: I do, I think.

MARKS: Everybody said she looked like Colleen Moore. She was a very beautiful woman, very charming, and just a nice woman.

SENEY: Any favorite memories of her?

MARKS: I remember her taking care of me quite a bit. Cooked a lot of good food for me. Took care of the house.

SENEY: I take it your memories of childhood would be positive memories and warm.

MARKS: Yes, they're very warm. I remember when my father was on the board of supervisors in San Francisco. He used to come home every Monday night and had to have the telephone right there because people would telephone him constantly. I campaigned for him when I was five years old. I rode a tricycle -- there's a picture of me riding a tricycle. I campaigned for him when I was five years old.

SENEY: That's interesting. Carrying a sign on your tricycle?

MARKS: That's right.

SENEY: How long did he serve on the board?

MARKS: Just one term.

SENEY: Why just one term?

MARKS: I don't know why he didn't stay there longer. I think he should have. He was the author of the charter which has been since revised in San Francisco, and did a lot of the street legislation too.

SENEY: Public works kind of legislation?

MARKS: Right.

SENEY: Ordinances, that sort of thing.

You grew up in the Richmond District in the Pacific Heights area. What do you remember about that?

MARKS: I remember the Richmond District very well. We had what I thought was a big house. I haven't seen it since I left there but it seemed like a big house. I had a room, my sister had a room, my mother had a room, and I remember downstairs there was a kitchen and a living room, dining room. It seemed like a big house. I'm sure it isn't big now.

SENEY: There was and is a thriving Jewish community in that area.

MARKS: There was.

SENEY: And I know you've been a member of Temple Emanu-El for a long time. Where you then? Was your family a member of the temple?

MARKS: I was a member of Temple Emanu-El for a while. When I got out of Temple Emanu-El, I became the chair of the men's club at Temple

Emanu-El. My father was not too active in it. My father taught at the Temple of Emanu-El. I met a lot of people who were students at Temple of Emanu-El. He taught there. He wrote a lot of plays for them. Father wrote a lot of plays.

SENEY: This is typical of temples and synagogues, isn't it, to have an extensive educational program and sort of self-improvement, and that's what he was taking part in?

MARKS: Right. What else can I say about my father. He was very aggressive, very tough, very forceful, had a great sense of anger. He was a man who really made his way through life. He had nothing, absolutely nothing. He did very well. I was very proud of him.

SENEY: Did you ever practice law with him?

MARKS: The first case I tried was the last case he tried. He died in the middle of the trial. I used to go down to his office all the time and look at the books, and he'd say, "Someday these will be your books," and I was very impressed by that. I wanted to practice law with him all my life and he died in the first trial.

SENEY: Just as you were beginning to practice.

MARKS: Just starting. It was very tough.

SENEY: You know, one of the things I wanted to ask you about some more is your childhood in San Francisco. You went to Alamo Grammar School.

MARKS: Right.

SENEY: Do you remember that at all?

MARKS: Very well.

SENEY: What do you remember about it?

MARKS: Well, Alamo, in those days, was a red-brick building. It was about five streets away from my home. I used to walk there on 23rd Avenue and California. I remember going there very well. I do remember one fight I had there with one young man. He challenged me. I wasn't too enthusiastic with the fight but I had it.

SENEY: How'd you do?

MARKS: I think I did all right.

SENEY: Do you remember any of your teachers? Any of them stand out in your mind?

MARKS: Yeah. I had a teacher named Miss Seawright who was a very good teacher of mine. And then I had another -- I can't remember her name -- a teacher of mine at Presidio who just recently died. Very old.

SENEY: But you said you weren't a particularly good student.

MARKS: I didn't do too well.

SENEY: You're smiling kind of when you say that. Why do you smile?

MARKS: Well, I would do well on the things I liked.

SENEY: What did you like?

MARKS: I liked political science and history. I liked English. I liked those basic things. I hated math and science. I didn't like science too much.

SENEY: And that's where your father might have a word or two with you about your science or math grade.

MARKS: That's right; he would.

SENEY: "Look how well you're doing in these others."

MARKS: That's right. I used to get A's in the things which were hard, but I liked them, and C's or D's in things I didn't like.

SENEY: Can you remember anything from that period that kind of influenced your outlook on politics? You've always been a moderate, some would even say a liberal Republican and then a Democrat. Can you give us a sense of how you came to have those kinds of values?

MARKS: Well, I think it's largely from my father. I think that he influenced me an awful lot. I think he was progressive. He had a great labor record and a great civil rights record. These are the things that he talked to me about and I became impressed by them. I didn't want to have anybody affected adversely. I was always a supporter within Negro rights and any rights that you could think of. Always supported them.

SENEY: I doubt there were many Blacks in Alamo. Would there have been any Black students?

MARKS: Just a few. Very few.

SENEY: Any Asians?

MARKS: Some Asians.

SENEY: But it would be predominately Caucasian and maybe even predominately Jewish.

MARKS: It was. Heavily.

SENEY: I guess what I'm trying to get at is there would be, I guess, some opportunity, then, in that environment to see some people not treated so well.

MARKS: Yeah, I think sometimes we saw people who were not treated well. They wore different clothes and looked differently. They were not treated well. I have resented that.

SENEY: But it never seemed fair or right to you.

MARKS: No, it didn't.

SENEY: And it was something you felt you ought to do something about?

MARKS: I'm not sure it influenced, being in politics all of my life, but it was something I was interested in.

SENEY: What do you remember about Galileo High School?

MARKS: Well, I was the valedictorian in my class at Galileo High School.

SENEY: Well, that means excellent grades, right? The best.

MARKS: I wasn't the best; I was just picked.

SENEY: I see.

MARKS: I remember one of my teachers picked me, whose name I cannot remember now.

SENEY: That means you give a speech, right?

MARKS: I gave a very good speech.

SENEY: Do you remember anything about that speech?

MARKS: I wrote it.

SENEY: What did you talk about?

MARKS: How important it was that we were in the middle of a war and how important it was for us to succeed and to do what we could in the United States to be proper. It was a good speech. I don't know where it is.

SENEY: Well, I hoped you saved a copy somewhere.

MARKS: Probably somewhere.

SENEY: Then you attended Stanford. You graduated in 1937 from Galileo.

MARKS: Right. I was the valedictorian.

SENEY: And then you went to Stanford from '38 to '41.

MARKS: Right.

SENEY: And then in a way, though, you kind of followed in your father's footsteps because you were on the debate team.

MARKS: I was the president of three institutions at the same time. I was president of El Campo, which is a debate society, president of Brenner Hall, which is the place where I lived. I was the president of El Campo, which is the

eating club I headed. I was president of three organizations at the same time.

SENEY: Had you been elected to any student offices in high school?

MARKS: No.

SENEY: So this was just when you got to college you decided to do this.

MARKS: Right.

SENEY: What made you put yourself forward for these offices? Do you remember?

MARKS: I just was interested in trying to help in what I could and I wanted to take an active role.

SENEY: Was it hard? Do you remember about how you got elected to these things? What kind of campaigning you undertook?

MARKS: I don't remember too much about the campaigns.

SENEY: What are your memories of Stanford?

MARKS: I liked Stanford very much. It was a beautiful place. I remember living in Encina Hall, which is where all the freshmen lived. It was a tremendous hall, huge place. I don't know if you've ever seen it or not.

SENEY: No, I don't know that I have.

MARKS: It's a huge place. I remember one time they brought a car up there, put it in the room. They disassembled it and assembled it all over again.

SENEY: Where you part of that?

MARKS: No, I wasn't part of that. I do remember my roommate at the college. He was an electrician and he electrified the doors, so I used to get a shock all the time.

SENEY: What sort of pranks did you pull?

MARKS: I didn't pull too many, but we had a lot of water fights. We threw a lot of a water at each other.

SENEY: What did you major in?

MARKS: Political science. My professor was Professor Tom Barkley, who just recently died, a little over 100 years old. I went to his 100th birthday. He was a great professor.

SENEY: And you remember him obviously in particular.

MARKS: I remember him very well.

SENEY: You took a number of courses from him?

MARKS: Yes. I loved him.

SENEY: He was an influence on you, you'd say?

MARKS: Yes, he was.

SENEY: In what way?

MARKS: He was a Democrat in those days, which I thought was rather amazing. He used to go to all of the conventions and vote there.

SENEY: Well, this was the New Deal period, of course, and I suppose that it wouldn't be surprising.

MARKS: Well, at Stanford it was.

SENEY: I guess that might have been right, [Stanford] has always been a kind of conservative university. What do you remember about him? Can you see him in class, lecturing?

MARKS: Yeah. He wore glasses, gray hair, medium-sized. Just very progressive. He just had a wonderful way of talking. He gave an interest in political endeavors. I remember one time we had an opportunity to do something about one candidate for president. I did something about [Wendell] Willkie. He liked it. I was very fond of him. I think he was fond of me too.

SENEY: In those days, would you socialize outside of class with the professor?

MARKS: Occasionally.

SENEY: Do you remember any of the other faculty members who influenced you or were memorable?

MARKS: An economics professor whose name was [Ed] Fagen. I remember him too. He was tough.

SENEY: Did you like economics?

MARKS: Not too much. I was more interested in political science.

SENEY: So if I were to ask you about a favorite class, it would probably be one of Professor Barkley's classes.

MARKS: Right.

SENEY: Do you remember which one it was that kind of stands out in your mind, or one you particularly really enjoyed?

MARKS: A lot of the classes on the New Deal, laws, and something about the politics of the New Deal, something about the programs of the New Deal I thought were very good.

SENEY: Although you must have considered yourself a Republican, obviously, at this point.

MARKS: I was a Republican.

SENEY: But you weren't put off by this Democrat.

MARKS: No, I guess I was basically a Democrat. I probably was Democrat leaning even in those days, although I was a Republican.

SENEY: Well, as you say, the Republicans were more moderate in those days.

MARKS: They were. I campaigned for [Nelson] Rockefeller when he campaigned [for President in 1964].

[Begin Tape 1, Side B]

SENEY: Campaigned for Rockefeller. That was in 1964.

MARKS: Right. Against [Barry] Goldwater. I never supported Goldwater.

SENEY: Let me go back to Stanford. Did you have a minor? You majored in political science. Did you have a minor?

MARKS: Probably history. I took a lot of history and a lot of political science. I did

a lot of debating.

SENEY: I would think the war must have been overhanging the whole environment and atmosphere.

MARKS: It was. We all read the newspapers about how awful the war was going on in Europe and we were concerned about it.

SENEY: We weren't in it yet, of course.

MARKS: No, we were not in it.

SENEY: Let me ask you about the debate team. What debate topics do you remember that you dealt with?

MARKS: A lot of foreign affairs: a lot of French activities, a lot of British activities. The debate coach was named Leland [N.] Chapin. I did not like him at all.

SENEY: Why not?

MARKS: I just disliked him; I thought he was very unfair to me.

SENEY: How so?

MARKS: Well, I remember once I was in a debate contest and I won every debate and then I lost one and he threw me off. I thought it was terrible.

SENEY: Why the interest in debate, why do you think?

MARKS: I liked to talk. I was a better speaker than I am now.

SENEY: Why do you think that's so?

MARKS: I'm getting a little older.

SENEY: Did your father encourage you?

MARKS: My father was a great debater. A very good speaker.

SENEY: Did he like the idea that you were on the debate team?

MARKS: He loved it very much.

SENEY: Give you some pointers?

MARKS: Right.

SENEY: Can you remember any of those?

MARKS: Sure. Be aggressive and speak up clearly.

SENEY: Would he come to your debates sometimes?

MARKS: Sometimes, yes.

SENEY: You know, I asked you about the war overhanging the atmosphere at Stanford. You said that -- here you have students having water fights, disassembling cars and reassembling them, electrifying doors and pulling all kinds of pranks. I mean, that's kind of one side of it, and yet at the same time, here was this very serious situation. Can you kind of tell us a little about the atmosphere and what it was like?

MARKS: Well, I think the people were concerned about the war. I remember when the war broke out in the Philippines, that I wanted to go to the Philippines. I really wanted to live there. I'm glad that my folks wouldn't let me, but I wanted to go there. I would either have been dead or captured had I gone there. I also wanted to go to London, and the war and the bombing. I wanted to go there too. They wouldn't let me go either.

SENEY: Yes, it must have seemed pretty exciting at the same time it was kind of frightening.

MARKS: It was.

SENEY: And I guess, did you have the feeling that we were going to be swept up into this and you, yourself, were?

MARKS: Yeah, I think we did. We probably did. We weren't quite sure how it was going to happen but we felt that eventually we'd get in the war. [President Franklin] Roosevelt was very friendly to the British.

SENEY: Before Pearl Harbor, of course, there was a vigorous debate in the United States about whether or not we should become involved in the war in Europe.

MARKS: [Charles] Lindbergh. I didn't like him at all.

SENEY: So you favored those who thought we ought to be involved in the war.

MARKS: Sure I did, because I'm British descent.

SENEY: Oh.

MARKS: My grandmother was British.

SENEY: Oh, I see. So you took this kind of personally, in other words.

MARKS: Right.

SENEY: What was, do you think, the sort of breakdown on the Stanford campus? How many would have sided with Lindbergh and how many would have taken the position you had?

MARKS: My guess is there'd be more against Lindbergh, more for helping the British.

SENEY: We have from this vantage point, I think, not a very good memory of the fact that Lindbergh's view had a lot of support until Pearl Harbor when it all changed.

MARKS: Tremendous. I remember my father used to curse him all the time. My father, because his mother was British, he used to adopt some British aspects. He used to have tea everyday and things like that.

SENEY: So he brought some of those habits with him, I guess. That's interesting. You graduated with your bachelor's degree in 1942.

MARKS: '41.

SENEY: Okay, because I've got '42 here.

MARKS: June 15, 1941.

SENEY: Where were you on December 7, 1941?

MARKS: I was studying for the bar. I was at the University of California, International House, which is about a half a block away from the football field. I didn't listen to the football game at all. I was studying with a man who's since become a federal judge here in Sacramento, named Milton Schwartz, and we were studying all day. We didn't learn about Pearl Harbor until that night because we were studying all day.

SENEY: What was your reaction? Do you remember?

MARKS: I was very shocked. I remember, he hurt his leg. I had to carry him down to the hospital in the dark -- terribly dark.

SENEY: That very night you mean on December 7th.

MARKS: We went out on the balcony to try to read the light -- the little safety light. It was the only light that was there.

SENEY: You mean everything had been blacked out?

MARKS: Yes, that's right.

SENEY: So quickly even.

MARKS: Right.

SENEY: Well, I mean that makes sense. I mean, who knew what was going to happen next.

MARKS: We were convinced that the Japanese had bombed the United States.

SENEY: The mainland itself.

MARKS: We thought so.

SENEY: How long after that did you enter the military service?

MARKS: January 2, 1942. I was a second lieutenant in the field artillery and I was called originally for one year but they changed my orders later on to go forever.

SENEY: The duration, right?

MARKS: That's right.

SENEY: So you, of course, had registered in the draft, which had been--

MARKS: No, I had registered because I was a reserve officer.

SENEY: Oh. You were in ROTC [Reserve Officer Training Corps] in Stanford.

MARKS: Right.

SENEY: Oh, I see. I'm sorry.

MARKS: In Galileo too.

SENEY: Oh, at Galileo as well. So you were ready to go. I mean, when anything happened, you were immediately called up then.

MARKS: That's right. January 2nd.

SENEY: Had you really had much military training at this point?

MARKS: Just the ROTC.

SENEY: Kind of marching around.

MARKS: I remember when I went in the Army, I was put in the horse-drawn field artillery. I hadn't ridden a horse for five years and I remember the colonel measured my feet to get me the right kind of boots. He got on the floor and measured my feet to do them and then they sent me out to guide the people around Fort Ord and I got lost.

SENEY: This was your first assignment at Ford Ord?

MARKS: Right.

SENEY: It must have been fairly chaotic those first months of the war.

MARKS: It was.

SENEY: What do you remember about that?

MARKS: Well, I remember being in the tents. They were sort of open tents. Sleeping bags. Little mosquito nets down the front of them. I remember being at Fort Ord and you couldn't go anywhere; you were stuck there in the middle of Fort Ord.

SENEY: What was the attitude of the other officers and recruits.

MARKS: Well, it was a pretty good outfit because there were a lot of West Pointers. It was almost a regular Army outfit and it was great morale.

SENEY: Is that because it was an artillery outfit and you had to have some expertise?

MARKS: Yes, that's right. Our job was to take care of the horses first. We used to ride the horses and then we'd clean up the horses, and that was before we ate. We would do what we had to with the horses.

SENEY: What kind of guns? Do you remember the guns?

MARKS: French 1897 guns. Seventy-fives.

SENEY: That was a very good gun, wasn't it?

MARKS: Eighteen ninety-seven. I used to ride them quite a bit.

SENEY: Ride on the guns?

MARKS: Ride on the guns, yeah, on the back.

SENEY: Did you see service with this unit?

MARKS: Yes, I did.

SENEY: Where?

MARKS: When I went in the Army, we were ordered to go down and guard the coast in Southern California. They didn't realize we were horse-drawn, so it took us about a week to get down there.

SENEY: You mean you traveled by horse.

MARKS: Yeah, by horse.

SENEY: They didn't put you on a train.

MARKS: I don't think they realized we were horse-drawn at all.

SENEY: They thought you were a mechanized unit, maybe.

MARKS: I remember one time, we practiced firing. We thought we fired at what we thought was a submarine. It was a log. And they criticized us all the way up to the Ordinance Department at Washington to criticize us for wasting a shell.

SENEY: When you showed up in San Diego with your horses, were they surprised to see the horses?

MARKS: They were surprised, yes. Horses were about three miles away from where we were. If the Japanese had landed, which we thought they would, we could never have gotten out.

SENEY: So you went obviously with your horses, taking your equipment and your baggage that's necessary, by horse all the way from Fort Ord to San Diego.

MARKS: San Luis Obispo.

SENEY: Do you remember that trip?

MARKS: Sure I do. Then we got to this place, it was like a home, and we had guns there. I remember the chief of staff of the Army came down to speak to us. It was around the Battle of Midway and he said, "We don't know where the Japanese are out. They're somewhere out in the Pacific. We don't know whether they're going to land in Alaska or Midway or where they are, but someone's going to get to us."

I remember one day when we were there and I remember we said we've got to fire this Japanese -- what we thought was a submarine and we fired several shells.

SENEY: Did you hit the log?

MARKS: Yeah.

SENEY: Well, that's good. Was that General [George C.] Marshall? Was he chief of staff of the Army then?

MARKS: No. General Marshall was in the east. He was the chief of staff of the Army. I'm not sure who it was.

SENEY: Well, I would think there would be considerable nerves at that point before the Battle of Midway.

MARKS: We were convinced we were not going to get out of there. We were convinced we were going to die right there.

SENEY: We know now, of course, that the Battle of Midway was a very decisive

battle.

MARKS: It was. We didn't know it then.

SENEY: That's what I was going to ask. Once that battle was over and we had won, was it generally understood that that was a decisive battle?

MARKS: Yes, we did then. But we didn't know before there was going to be a Battle of Midway.

SENEY: Tell me about your combat experience.

MARKS: I was in combat in the Philippines. I landed in Leyte. And I remember going to a big field where a bunch of Army soldiers were. I remember firing at people. I remember a couple of miles away the Japanese were there. I saw a lot of Japanese who were dead.

I recently went back to the Philippines. I was there for the 50th anniversary of the Philippines. I represented all the Armed Forces of the United States. I was introduced by the Chief of Staff. I introduced the Secretary of Defense. I made a speech there in Leyte.

SENEY: You know, Leyte, as you probably know that battle, is now somewhat controversial itself in the sense that subsequent military historians have wondered if that was necessary to land there. Do you remember any view at the time, that the troopers thought that way?

MARKS: We just were there. We were just involved in the battle.

SENEY: Doing what you were told.

MARKS: That's right.

SENEY: Was it at that point that you went to work for the Eighth Army General Court at that point?

MARKS: No. I was in the Philippines about a year. I was in various places in the Philippines. I joined the First Calvary Division which liberated Manila, liberated the beer factory.

SENEY: San Miguel beer?

MARKS: San Miguel brewery. There were a lot of prisoners there. Then when the war ended, I was on a ship in the Philippines in Cebu and I was attached to the Navy even though I was in the Army. I was helping to plan the invasion of Japan and I heard [President Harry S.] Truman deliver the speech about dropping the atomic bomb, and about a week later the war ended. And then about two weeks later I went to Japan.

SENEY: Do you remember your reaction to the speech, President Truman's speech?

MARKS: I couldn't understand it. It was unbelievable to have a bomb this big. I remember there was a lot of liquor on the ships. There's wasn't supposed to be any liquor on the ships but suddenly it came out there was a lot of liquor on the ships.

SENEY: Let me go back and ask you about the liberation of Manila because the Japanese naval troops behaved very badly in the last weeks of the Japanese

occupation in Manila. Do you remember running across some of their handiwork? They apparently executed a lot of civilians.

MARKS: Yes, we did. I saw quite a bit of that. And then I went to Santo Tomás. I was there recently.

SENEY: That was where the civilians were interned, Santa Tomás.

MARKS: Right. They were just kept there, this huge facility.

SENEY: So you were there when it was liberated, were you?

MARKS: Right.

SENEY: What condition were the people in?

MARKS: Terrible. They were very bad. Some were dead. Some were dying.

SENEY: What was your reaction to that?

MARKS: I was glad to liberate them, very happy to liberate them -- very happy to liberate the brewery. We were told to make sure that nothing happened to the brewery.

SENEY: The equipment wasn't damaged, do you mean, so they could get right back in production?

MARKS: Right.

SENEY: A top military target area.

MARKS: That's right.

SENEY: So at what point do you become attached to the Eighth Army General Court? Then you go to Japan, right?

MARKS: I went to Japan. They assumed that I had graduated from law school.

SENEY: And actually, you had only finished maybe a semester?

MARKS: I had six months of law school and they made me the assistant defense counsel of the whole Eighth Army General Court. There were only two assistant defense counsels. I represented everybody. Death cases, rape cases, every kind of case you could think of, and we were so successful that they finally relieved us because the general was disturbed we were getting so many people off.

SENEY: And maybe that wasn't good for discipline or something?

MARKS: I remember there was one case we had. There was a rape case. I represented a young man of the charge of rape. He wouldn't talk to us at all. And the penalty -- we were still in the middle of the war -- and the penalty for the war-time rape is death or acquittal. There was nothing in-between. They sentenced him to death and it later got commuted to something else.

SENEY: There was a case -- maybe this is the one you're talking about -- when you defended three rapists. Was this the case you were talking about?

MARKS: Right.

SENEY: Where had that rape occurred? In Japan or in the Philippines?

MARKS: In the Philippines.

SENEY: Pretty clear that this had been done?

MARKS: Probably, but he wouldn't talk to us.

SENEY: Why was that, do you think?

MARKS: I guess they were afraid of us.

SENEY: So they ended up getting the death penalty, which was not then subsequently carried out.

MARKS: No.

SENEY: Did this experience influence your attitude toward the death penalty?

MARKS: I really don't know whether it did. I think I'm opposed to the death penalty because I know of no white person who's ever gotten the death penalty in my lifetime. Never. It's a racist penalty.

SENEY: And you maybe had those views then, do you think?

MARKS: Probably.

SENEY: What was it like defending these individuals?

MARKS: Yeah, I remember them very well. I prepared myself very carefully. I remember going to the military court and trying to object. We talked to the court during the time of their case, trying to get them to modify their case and they thought they were at one time but they didn't. We tried to get them to modify it so they would not get the death penalty because they had down he was guilty.

SENEY: Well, you know, subsequent to World War II -- of course, the Uniform Code of Military Justice was passed, largely based as I understand it, on

the complaints of the troops and others about how unfair the military justice system was.

MARKS: They were. It was unfair.

SENEY: Was it, did you think?

MARKS: It was unfair. I represented one man who was charged with hitting somebody with a dagger and his defense was that he remembered raising the dagger and then his attention was temporarily distracted and the person died. I got him acquitted. God knows how.

SENEY: It sounds like a fairly flimsy defense.

MARKS: That's right.

SENEY: And this would be in front of a board of officers that these trials would go on.

MARKS: Right. I enjoyed that very much.

SENEY: Did that obviously reinforce your feelings that you wanted to be an attorney?

MARKS: Probably. Well, when the war ended, they had a system that they would send people home -- [if they had] enough points to go home. They reduced it by about a point each time, and I told my father I would never get home, I was going to study at Tokyo Law School. I would never leave. I didn't think I was ever going to get home.

SENEY: You just couldn't get enough points accumulated?

MARKS: No.

SENEY: How long after the surrender did you actually set foot on the Japanese home islands?

MARKS: About two or three weeks.

SENEY: What do you remember about that?

MARKS: I remember the peacefulness of the Japanese. They were absolutely subservient to people. They were calm. I'd walk on the street by myself and they didn't show any hostility at all. I remember that they were very friendly.

SENEY: What had you been told to expect?

MARKS: Well, I didn't know quite what I expected. I expected it to be probably serious because the Japanese were such warriors.

SENEY: But there was never an incident that made you feel as though you were in peril.

MARKS: Never at all. Never.

SENEY: Where did you land?

MARKS: Yokohama. I lived at the submarine base in Yokohama.

SENEY: The former Japanese submarine base.

MARKS: Right.

SENEY: What was the condition of the city?

MARKS: The area between Tokyo and Yokohama, which has built up tremendously

-- I don't know if you've been in Japan--

SENEY: No, I have not.

MARKS: --but there's huge facilities. There wasn't a drop of anything. Everything was devastated. Everything. The whole thing was devastated, completely devastated.

SENEY: When you saw that, what was your reaction?

MARKS: I thought it was terrible. I mean, I thought that it was -- I supposed that you were anti-Japanese at that time; you probably thought it was a good idea but you thought it was terrible.

SENEY: What were the living conditions like for you? I assume you ate well.

MARKS: We lived in a big facility, a huge facility, and they had the thing sort of fenced in. It was like wood and canvas, just pieces of a room.

SENEY: Because it must have been pretty damaged, too, I take it.

MARKS: It was. I remember I went to a Yokohama department store. There was very little there.

SENEY: What was the condition of the civilian population?

MARKS: They looked not too bad. Of course, I've since been to Hiroshima, which is devastating.

SENEY: You never got to Hiroshima during this period.

MARKS: No.

SENEY: At what point did you come back to the United States? When was that?

MARKS: June or April of '45, something like that.

SENEY: Forty-six maybe?

MARKS: Forty-six. I was put in charge of a ship. I was the commanding officer of the ship and I had to be in charge of the ship coming back here from Japan. Nobody paid any attention to me.

SENEY: They were about to leave military service and it didn't matter.

MARKS: No.

SENEY: What were you by this time, a major?

MARKS: I was a captain. No, I was a major then.

SENEY: A major by this time?

MARKS: Yeah.

SENEY: That didn't make any difference.

MARKS: No.

SENEY: The war was over.

MARKS: Right.

SENEY: What are your general remembrances of World War II and how do you think it influenced you, if it did?

MARKS: I think that we were all given jobs that were very important to us, far beyond our age to carry on responsibilities that were very good.

SENEY: How do you think you responded to that?

MARKS: I think I responded pretty well. I think I did all right.

SENEY: Are you kind of hesitating there?

MARKS: I'm not sure. I think I did fine. I'm not saying that at all. No, I was a good officer. I had a lot of responsibilities -- different areas of responsibility. In charge of a field artillery battalion, in charge of a supply outfit. A lot of different things.

SENEY: Did you come back a different person?

MARKS: I think I did.

SENEY: How so, do you think?

MARKS: I think I was older. I think I felt older. Everybody who was in the Army had a great responsibility. They were 22 or 23 -- I was 23, something like that. I was a young man. The responsibility that you had, to be given, was a great opportunity, a great challenge to try to carry out those responsibilities.

SENEY: You know, apart from your own feelings, there's a good deal written about how people felt about the country as well at that point. People thought we could do pretty much anything.

MARKS: That was probably the last war in which we were engaged in which we all felt we were doing the right thing. Every other war since then has been a war which there's been doubt. There was no doubt at all in this war.

SENEY: Do you remember, though, the sense of confidence that people seemed to express in America? Here we had been in a very bad depression which

had really shaken the confidence of the nation. Talk a little bit about that.

MARKS: The Depression?

SENEY: Well, about the Depression -- yes, that'd be fine. I'd like to hear what you have to say about that.

MARKS: Well, I remember the Depression very well. I don't think that I suffered too much but I do remember it. I remember the lines of people selling apples -- tremendous lines of people selling apples. I remember going down to places, watching people eat food. I thought that was terrible.

SENEY: You mean the soup kitchens, that kind of thing? Free food.

MARKS: Soup kitchens.

SENEY: Your family, I take it, probably wasn't touched much by this?

MARKS: My father probably was but he didn't act like he was.

SENEY: A little less income maybe but still sufficient.

MARKS: He probably had less income.

SENEY: But you remember -- again, here we had the Depression where it really did sap our confidence as a nation.

MARKS: Yes, it did. It did. I remember the WPA [Works Progress Administration].

SENEY: Do you?

MARKS: Very well.

SENEY: Working on projects in San Francisco?

MARKS: They did a lot of good.

SENEY: Yes, they did. Built a lot of things. There are many things in Golden Gate Park that were built by the WPA. And all over San Francisco.

MARKS: Right. All over the United States.

SENEY: I want to get back to this and I don't want to belabor it, but to this sense of confidence that you all came home with.

MARKS: Well, I think when the war ended -- the war started -- there was no division between the people in the United States. There was a great division in the country beforehand between the Lindbergh and the non-Lindbergh people. A great division. But when the war started, we were so incensed by the way in which the war started that we all united together and we did not have any feeling of dissension at all. At least I didn't see any.

SENEY: Well, the country was pretty much united, wasn't it, behind this effort.

MARKS: And everybody was convinced that we were going to win this war, a tough war, a very tough war that had the problems at Singapore, the Philippines, and Africa and all these other areas, but we were convinced we were going to win the war. I was, of course--

Session 2, January 24, 1996

[Begin Tape 2, Side A]

SENEY: Good morning, Senator.

MARKS: Good morning. Glad to be here.

SENEY: Thank you. Me too. As we ended yesterday, we were just talking about the end of World War II and you were about to return to the United States. You had mentioned you were the captain -- or commanding a ship which no one would pay any attention to you on.

MARKS: I landed near San Francisco. I think it was San Pedro where I landed. I came under the bridge, which I never thought I'd ever see again. And then we were taken to the Army base over in San Pedro, I believe. I was put in charge of the barracks, the people paid no attention to me whatsoever.

SENEY: Did you try to give them many orders though?

MARKS: Yeah, I tried to keep them not drinking, doing many things that they thought were important.

SENEY: And clearly against the rules.

MARKS: That's right.

SENEY: But for them the war was over now.

MARKS: The war was over. They were getting out. We were all getting out.

SENEY: So this is about, what, July 1946 now?

MARKS: In April, I think it was.

SENEY: And what were your plans?

MARKS: I was going to go back to law school.

SENEY: No question in your mind about that.

MARKS: No. I was going to finish my law training because I wanted to be a lawyer.

SENEY: Did San Francisco seem different when you got back from the war? How did things seem?

MARKS: Well, it seemed different. It always was different during the war, because I used to go to Alabama and when all the people who lived in Alabama were stationed in San Francisco, I found it very difficult to go back there.

SENEY: You didn't go back to Boalt Hall [Law School] though at [The University of California] Berkeley.

MARKS: Yes, I did.

SENEY: Oh, you did.

MARKS: Started there.

SENEY: Where did you complete your legal training though?

MARKS: San Francisco Law School, at nighttime.

SENEY: At nighttime.

MARKS: I worked in my father's law office during the daytime.

SENEY: I see. What did he teach you about the law?

MARKS: Well, he taught me to work very hard, to be meticulous in trying to arrange cases, to go a good briefing on the cases, and to do a lot of research. He was very meticulous in everything he ever did.

SENEY: You said yesterday that when you liked a subject you did well in it and when you didn't like a subject maybe not so well.

MARKS: Not so well.

SENEY: I take it you liked the study of law so you probably did pretty well at law school.

MARKS: Yes, I did.

SENEY: And enjoyed it?

MARKS: I enjoyed it. It was tough but it was interesting. Of course, I went back to Boalt Hall wearing a uniform because I didn't have any clothes, no civilian clothes at all, so I wore a uniform when I went back there.

SENEY: Were there still a number of people wearing uniforms at that time?

MARKS: Not too many but I was one.

SENEY: You were one, huh? Well, I suppose that was good serviceable clothes and why discard it, right?

My understanding is that when the troops came back, they were really welcomed with open arms. Was that your experience too?

MARKS: They were really welcomed. They thought we'd done a good job.

SENEY: So you were made to feel as though the effort had been a success and

whatnot.

MARKS: Right.

SENEY: Good. What do you remember about law school?

MARKS: I remember it was a very, very tough situation for me to study after not having studied for a long period of time. I remember one time I went out on a -- I never had a date when I was in law school, but one night I decided to go out on a date and I went on a date and I didn't read my cases for the next day, so I didn't have any briefs at all. So the professor, who was Professor Alexander Kidd, who had taught my father in law school, called upon me to give a brief and I turned to Milton Schwartz and I said, "Let me see your brief," and I read it quickly and I accused the person of murder when it was a robbery and he spent the whole period criticizing me.

SENEY: So I take it there weren't too many more dates while you were in law school.

MARKS: Only one I ever had.

SENEY: Is that right? Well, it was pretty demanding, I would think. And then again, having come out of the military and all those experiences must have been hard to sit still and read a book.

MARKS: It was. It was difficult.

SENEY: I would think so. What was your legal specialty when you began to

practice? Did you have one?

MARKS: Well, my father did a lot of representation of city employees, so I did a lot of that. City employees' unions and a number of other people -- a number of other representatives who were suing the city. I did a lot of that.

SENEY: Did you go to work in his law firm when you finished up?

MARKS: Yes, I did.

SENEY: Now, you mentioned yesterday that there was a trial in which he began and you finished.

MARKS: Right. He got sick in the middle of the trial, I took over.

SENEY: But you had worked with him for some period of time before this, I take it.

MARKS: I worked with him but never had been a lawyer.

SENEY: And he died in 1950.

MARKS: Right. April 18th.

SENEY: And you first ran for office in 1952.

MARKS: Right.

SENEY: What made you run for the Assembly?

MARKS: Well, I just decided I wanted to run. I decided I wanted to do something on my own. I wanted to establish myself as a representative of the people rather than just being my father's son, which I was very proud of being my father's son, but I often was compared to my father and I wanted to do something on my own.

SENEY: Sure. He must have cast a pretty big shadow then.

MARKS: Right.

SENEY: How did you prepare for that campaign?

MARKS: I worked extremely hard to try to get a number of representatives, people to support me. I talked to a lot of people to support me and I had good representation. That was the campaign I ran against [Assemblyman] Casper Weinberger.

SENEY: Yes, right.

MARKS: I wound up with more votes than he did but I didn't get the nomination.

SENEY: How did that happen?

MARKS: Because you either run as a Democrat and a Republican on both tickets and my total vote was greater than the Republican nominee or the Democratic nominee but I didn't get either nomination.

SENEY: Oh, I see. You came in second in--

MARKS: Second in both races.

SENEY: In both of them. Did he cross-file too?

MARKS: Yes, he did.

SENEY: Did he get both nominations?

MARKS: No.

SENEY: So he had a Democratic opponent.

MARKS: Right.

SENEY: Was this his first try for the Assembly?

MARKS: Right.

SENEY: I take it, when you say that you talked to people and looked for endorsements you must have contacted civic associations and that sort of thing?

MARKS: Right.

SENEY: Do you remember who that was?

MARKS: I could probably look at the list. I don't have it here in front of me.

SENEY: Well, I'm thinking, you know, try to give us a sense of what it's like the first time you run for office. What kind of experience did you have in politics up to that point that would kind of tell you what to do and show you how to approach it?

MARKS: Well, I had worked at various campaigns. I had never been a candidate. Various campaigns. I once ran for the Republican County Committee but I didn't succeed in that. I once ran in that a long time ago when my father was alive.

SENEY: Whose campaigns did you work in before 1952, do you recall?

MARKS: Various campaigns for governor, senator.

SENEY: Did you work in [Governor] Earl Warren's campaign?

MARKS: No. He left before I got into the battle.

SENEY: Okay.

MARKS: I worked on [Governor Goodwin J.] Knight's campaign, I think, and various other campaigns. I was Republican in those days. I wasn't too Republican but I was a Republican.

SENEY: What did you learn from that 1952 campaign, do you think?

MARKS: Well, it was a very tough campaign because I was trying my best to get both nominations. I thought I could win both nominations and be elected in the primary. So I probably didn't pay enough attention to the Republicans' effort. I lost by about 700 votes in the Republican battle.

SENEY: I take it you would go around and speak to various groups?

MARKS: Various groups.

SENEY: Did you spend much money on that campaign?

MARKS: I think my whole campaign cost me $3,000.

SENEY: Is that right? Where did you raise that money?

MARKS: Individuals and some of it I gave myself.

SENEY: But not a very expensive campaign.

MARKS: Three thousand, it was nothing. You can't even buy stamps.

SENEY: By comparison, what did you spend on your last senate campaign [1992]?

MARKS: Over half a million dollars.

SENEY: And you didn't have any really serious opposition, did you?

MARKS: I had a primary battle.

SENEY: Which was kind of serious, you thought, I guess.

MARKS: Well, it was annoying. He shouldn't have run against me.

SENEY: If you'd had serious competition in both the primary and in the general election, what do you think you'd have had to expend the last time around?

MARKS: Probably close to $700,000.

SENEY: Yeah, at least. Quite a difference, isn't it?

MARKS: It was.

SENEY: Even allowing for inflation, that's a tremendous jump in what it costs to run.

Did you feel pretty confident in that campaign or did it surprise you that you lost?

MARKS: I felt fairly confident. I thought I was going to win both nominations. I thought I was doing well among Democrats as well as Republicans, and I was a little surprised I didn't win.

SENEY: What gave you the sense that you were doing well? I take it you didn't probably do any polling in a small campaign.

MARKS: I don't think we had any polling, no. Just the people who were supporting me. I had a large list of endorsers. Very prominent people were supporting my candidacy.

SENEY: Did you know Casper Weinberger before the campaign?

MARKS: Slightly. Not too well.

SENEY: Did you get to know him during the campaign at all or afterwards?

MARKS: No, we'd met at a lot of different meetings.

SENEY: Because he, of course, became a very prominent Republican serving in the State Assembly for several terms.

MARKS: Then he ran for Attorney General and I ran to take his place and I won.

SENEY: Was this then still the 21st District?

MARKS: Yes.

SENEY: It was always the 21st District when you ran for and represented it.

MARKS: Right. My father represented the same basic district in the Assembly. I think it was called the 31st in those days.

SENEY: You ran again in 1954.

MARKS: I ran in '54, yes. I ran against [Assemblyman Charles W.] Charlie Meyers.

SENEY: So by that time you had moved, you mean, and you were now in a different district.

MARKS: Right.

SENEY: Well, Charlie Meyers was a pretty much entrenched Democrat, wasn't he?

MARKS: He was, but I got all the labor support.

SENEY: And you got pretty close to him, did you, in that election?

MARKS: I lost by about 900 votes.

SENEY: It was a very narrow election.

MARKS: It was very, very close.

SENEY: That must have made you feel good in a heavily Democratic district.

MARKS: It was, especially since I didn't know too many people.

SENEY: And did you approach it again in the same way, getting endorsements, meeting with people?

MARKS: Yes, I did.

SENEY: That must have taken a lot of time.

MARKS: A tremendous amount of time.

SENEY: Can you give us a sense of what, say, a day might have been like in that campaign, in any of those early campaigns?

MARKS: Well, I didn't have any campaign staff at all. My wife was my campaign staff and I had one other man who worked part time. That was my entire staff. I had nobody else. I'd go out in the mornings, I'd ring doorbells. I rang thousands upon thousands of doorbells. I campaigned everyday for eight or nine hours a day just ringing doorbells up and down the streets and constantly meeting people.

SENEY: Were you keeping your law practice going at this time too?

MARKS: Yeah, I was, but it was hard to do.

SENEY: I would think. You must enjoy meeting people and ringing doorbells.

MARKS: I enjoy meeting people. We used to put a little card, I used to put on the card, "Sorry I missed you," and sign it when the people weren't there and

I'd leave it at the place. I wrote an innumerable number of letters. I'm impressed by the number of people who still carry the letters in their pocket.

SENEY: So you used a very personal style of campaigning rather than, say, spending your money on billboards.

MARKS: I didn't have the money.

SENEY: Was that the reason for this style of campaigning or is this kind of the way you are?

MARKS: I think it's the way I am. I like to meet people.

SENEY: And you feel in politics that that's the best way maybe to get them to vote for you?

MARKS: I still do it. Even though I'm at the ending of my career, I still go to numerable meetings.

SENEY: Well, I know you do. I mean, it's as though you've got a campaign right around the corner.

MARKS: I went to fourteen banquets in one night.

SENEY: And didn't have a thing to eat, I'm told.

MARKS: Had nothing to eat. [That] should be the title of this publication.

SENEY: Perhaps. Well, sometimes this is called kind of retail style of politics. That is, really getting out and mingling with your constituents rather than, say, trying to reach them through advertising and television advertising

and that kind of thing.

MARKS: I would make a lot of personal appearances. I'd walk up and down the streets. Clement Street, I'd walk up and down the street and visit every store, visit everybody I could think of, every place I could possibly meet people. That's the way I've campaigned forever.

SENEY: And you must obviously feel that that's an effective way to campaign.

MARKS: It is.

SENEY: I mean, you came close in '52 and in '54. Let me ask you, because on the notes here, you actually got married in 1955, didn't you?

MARKS: Right.

SENEY: Tell me a little bit about your wife. How did you meet Mrs. [Carolene] Marks?

MARKS: I met her at her cousin's place. She is basically a Californian. Her mother was born in Marysville [California] and she got married and moved back to Providence [Rhode Island]. So she was born in Providence but she's basically a Californian. So I met her at her cousin's place. I remember she wore a red dress. I was very impressed by it.

SENEY: Was it sort of love at first sight, do you think?

MARKS: I think it was. It took me a while to get married. I took about a year to get married. I'd fly back to Rhode Island a lot.

SENEY: Oh, I see. She was just out for a visit at this point.

MARKS: That's right.

SENEY: You had the luck to meet someone who lives way on the other side of the continent that you'd fallen in love with. Was it much of a selling job to get her to come back out to San Francisco and get married?

MARKS: No, I think she was convinced that she wanted to come back and get married. It was the middle of a campaign. She came out in the middle of a campaign. I didn't see her too much.

SENEY: Did she work on your campaign?

MARKS: She did.

SENEY: And I know that she herself is involved in politics now.[1] Was she always interested in politics?

MARKS: She's always been very helpful to me. She learned a lot about politics from me but she's every bit as good as I am, if not better. And she's devoted to doing things to help me.

SENEY: So unlike some wives of elected officials who kind of hang in the background, Mrs. Marks has always been a kind of partner.

MARKS: Very active. She's made a lot of speeches for me. Prepares speeches for me. Does all kinds of things for me.

SENEY: Now, you ran again in '56, so she must have been helpful in that campaign.

---

[1] Mrs. Marks ran unsuccessfully for a position on the San Francisco Board of Supervisors in the November 5, 1996 election.

MARKS: Right. That was a tough campaign.

SENEY: Was it? Tell me about that one.

MARKS: That was a campaign where I was trying to get the Republican nomination against a man named Bill Brinton, and the Republican County Committee had decided they were going to endorse him. I told them they couldn't do that, that they had no right to endorse anybody. And so I got all the troops -- they had the leaders -- I had all the privates, and they had a series of meetings and at one meeting they had, when they were going to make a decision at the meeting, there was Casper Weinberger there and [Congressman William S.] Bill Mailliard, who was a Congressman, and I disqualified both of them. I challenged their right to vote because they had violated the rules and I disqualified them. I won by one vote.

SENEY: As I read about this incident, it was very clever on your part. I mean, apparently Weinberger and Mailliard had sort of voted by -- dropped off their vote.

MARKS: That's right. Before we spoke.

SENEY: Right. And the rules say that--

MARKS: They had to speak.

SENEY: That's right. That they couldn't vote until all the speakers had been completed, and so you caught them flat-footed on that.

MARKS: That's right. I challenged them and they were denied the right to vote and

I won by one vote.

SENEY: No one objected when they dropped their votes off, their proxies. You never brought this up.

MARKS: The committee was all organized to help Brinton, not to help me at all.

SENEY: Well, you must have known, obviously, when they dropped their votes off, you must have said, "Ah ha, I've got them now." Did that thought cross your mind?

MARKS: Yes. I had a helpful man by the name of Ross Buell who was a vice president of the Wells Fargo Bank. He was a great helper of mine. He was the one that started this.

SENEY: He was the man who knew the rules and understood.

MARKS: Right.

SENEY: I take it this endorsement was important to you.

MARKS: It was important, except that they violated the rules. The Republican County Committee had said that anybody who got the nomination would get money and help, and they didn't do it. When I won the nomination, when I won the endorsement, they didn't do it. They didn't pay any attention to it. They didn't help me at all. The county chairman had a sign for Brinton on his house, all kinds of things that violate the rules.

SENEY: It was '58, I think. Let me see, because I've made some notes on this. It was '58, I think.

MARKS: Fifty-eight, yes.

SENEY: It was '58. It was the year you won the first time.

MARKS: And I won by 400 votes.

SENEY: Do you think maybe that endorsement made a difference?

MARKS: Sure it did, because Brinton and I went down and looked at the machines right after the election. We didn't talk to each other at all. I was checking the votes and he was checking the votes to see how I'd done. I won by 400-and-something votes.

SENEY: What was the Republican Party's reaction to you after you had won the primary?

MARKS: Well, most of them supported me.

SENEY: Did they just accept this and say, "Well, Marks has won"?

MARKS: Well, they're weren't happy.

SENEY: Had Casper Weinberger, this being his district, had he kind of anointed Brinton, do you think, to succeed him?

MARKS: I'm not sure he took a place or not. I really don't recall.

SENEY: Well, if you remember, in '58 Weinberger ran for Attorney General and lost. You both were running for his seat in the Assembly at this point.

MARKS: I don't recall whether he did take a place or not.

SENEY: By this time you're beginning to attract a lot of friends and get more skilled at all these things. So that must have been very gratifying to win

that primary.

MARKS: It really was. It was very close.

SENEY: Four hundred votes is a very close margin.

MARKS: And the thing that bothered me a lot was that Brinton came from a very wealthy family. He had a campaign manager and every time I would order some billboards and I found I couldn't pay for them, he'd take over the billboards. He had a huge amount of money. I didn't have anything. I had a couple of thousand dollars, if that much. So we just campaigned ringing doorbells.

SENEY: But you had been doing this now in the '52, the '54, the '56 campaign so you must have obviously been getting to be kind of well known in the district.

MARKS: I was well known but I didn't have any money. He had all the money.

SENEY: Did you feel though that all your doorbell ringing had finally paid off?

MARKS: Yes, I did.

SENEY: I mean, there's kind of a big lesson there, isn't there? I mean, here's Milton Marks without very much money ringing doorbells in several elections, and Brinton had not run before, had he?

MARKS: No.

SENEY: And spending a lot of money and coming up short.

MARKS: That's right. He spent a huge amount of money. He had a campaign

manager. He had all kinds of things going on. I didn't have anything. I had my wife and I and this one man who helped us.

SENEY: Tell me what happened after the primary. Was the Republican Party helpful in raising funds for the general election?

MARKS: Somewhat. Not too helpful. Some were still resentful of my winning.

SENEY: Were they?

MARKS: When I was elected -- I was elected in 1958 -- that was the year of [U.S. Senator Wm. F.] Knowland [ran for Governor]. It was a terrible year for Republicans around the state of California. I was the only brand new Republican elected in the whole state of California.

SENEY: Well, why don't you say a little bit about that Knowland and Knight switch.

MARKS: Well, I found it very disturbing because Knowland was trying to become governor and he adopted this right-to-work platform which annoyed labor very badly. I felt that he was not a good candidate.

SENEY: He had essentially forced Governor Knight to abandon his plans to run for reelection, a well-liked governor.

MARKS: With a lot of labor support.

SENEY: Right. And to run for Mr. Knowland's senate seat, Knowland wanting to run for President.

MARKS: He probably would have been elected.

SENEY: And being governor first he thought would be helpful to him.

MARKS: Sure.

SENEY: Everyone knew this.

MARKS: They knew it.

SENEY: And it looked to the voters like an awfully cynical piece of work, did it not?

MARKS: I really think the Democrats should have erected a monument to Knowland because he did more to help the Democrats than any man in the history of the state of California.

SENEY: And the right-to-work initiative[1], of course, galvanized labor, didn't it?

MARKS: Right. Terribly.

SENEY: Well, you beat Ruth--

MARKS: Church-[Gupta].

SENEY: Tell us a little about her and about that campaign.

MARKS: She was a very nice person. I liked her. She was an attorney in the Marina. She had a husband named [Kamini Gupta] with whom I served in the Lion's Club in the Marina.

SENEY: That's an Indian name, is it not?

MARKS: Yes. I remember once offering her a ride home one time during the middle of the campaign and she said she couldn't do it but she appreciated

---

[1] Proposition 18, November 4, 1958.

it. We were basically friendly but I assumed I was going to win.

SENEY: Had you appeared before a group together on the same platform?

MARKS: Right.

SENEY: How did that go? How did your debating experience serve you in those instances?

MARKS: It basically was a Republican district and so therefore, I felt that I could do pretty well.

SENEY: What issues did you emphasize in that campaign?

MARKS: We talked about some labor issues, some economic issues, some issues about development of San Francisco. Those were the principal issues we talked about.

SENEY: Let me refer to something here. This is something I got from your files[1] and made a copy of. This is not the original.

MARKS: What's that?

SENEY: This is a "Why Milton Marks is Seeking Public Office," it says here. And this was when you were running for the Legislature in 1958. It said you were important for you to win in 1958 because one of the things was reapportionment, was to control the reapportionment of 1960. Do you

---

[1] Senator Marks made available his extensive collection of personal papers. For the first years they are collected into scrapbooks, for later years they are in files under general headings. Reference is made throughout this interview to these papers which remain in Senator Marks' custody.

remember that as an issue?

MARKS: I changed my views a little bit.

SENEY: I know you did and we'll get to that. Reapportionment has impacted your career significantly.

MARKS: It has.

SENEY: As it has for every legislator, but I think yours perhaps in particular, and we'll get to that, but this is something that you really emphasized here that you thought was very important in terms of gaining a Republican majority at that point was the reapportionment issue. And while that's certainly important to legislators, I don't know that the public always understands how important that is.

MARKS: They probably didn't.

SENEY: Is that a hard issue to get across, do you think?

MARKS: Well, it's hard to convince people of the validity of it.

SENEY: Right. - I know you opposed the right-to-work initiative.

MARKS: Right.

SENEY: Did you get any heat from the Republicans on that?

MARKS: No. I sort of stayed away from it. When Knowland would come to town I wouldn't go to his meetings.

SENEY: You wouldn't appear with him.

MARKS: No.

SENEY: Because that would not have been a good thing to do in San Francisco, even in the Republican areas.

MARKS: That's right.

SENEY: What about national security and communism? Were those issues at all in the 1958 campaign? We're getting a little late into the '50s now.

MARKS: A little bit, but not too much. I didn't raise it with Ruth Gupta at all.

SENEY: And what about transportation issues? Another bridge, freeways, that type of thing.

MARKS: We talked about them, about whether we should have a second bridge across the Bay.

SENEY: Right. Let me turn this over.

[Begin Tape 2, Side B]

SENEY: Let me ask you about a couple of more things about the 1958 campaign. Did you know if the Democrats were coming in to help your opponent at all?

MARKS: They were somewhat but I don't think a huge amount. The Democratic County Committee was for her. She was a formidable candidate. She was a good speaker and made a good appearance.

SENEY: At this point in 1958, the Democratic Party has become kind of reenergized through the California Democratic clubs and so forth. On the

Republican side there's the California Republican Assembly, and you were active in that, were you not?

MARKS: It was pretty conservative. I was active at one time.

SENEY: Well, at this point you were kind of active, weren't you?

MARKS: Pretty much.

SENEY: When it began it wasn't so conservative, was it? It became more conservative.

MARKS: It got more conservative as time went on when the conservative wing of the Republican Party took over.

SENEY: Because when the California Republican Assembly began it was really sort of the Warren-Knight-[U.S. Senator Thomas H.] Kuchel Republicans who we would regard as moderate, progressive Republicans.

MARKS: I was a very close friend of Kuchel's.

SENEY: Oh, were you?

MARKS: Very close.

SENEY: Tell us a little about him. He was a very influential person.

MARKS: He was an excellent senator. We used to talk all the time. He'd come out here, I'd see him all the time. We felt that we had the same enemies and the same supporters basically. At that time I was a liberal Republican and he was a sort of liberal Republican. I would discuss his endeavors and tell him how great he was and he would help me.

SENEY: When you say you had the same enemies, who are you talking about?

MARKS: Conservatives, reactionaries.

SENEY: Do you remember any in particular?

MARKS: The Goldwaters, people like that, were very much down on him.

SENEY: Do you remember the individuals on the conservative wing of the Republican Party as it began to assert itself after -- certainly there was Senator Knowland. He has to be regarded as a conservative member of this group. Do you remember any of the either elected or nonelected people who began to influence the Republican Party and turn it more conservative?

MARKS: Well, there were some members of the board of supervisors who were Republican who were very conservative. I don't recall the names of them but they were conservative. They were reactionary. They completely didn't like what I did at all. I didn't like what they did at all.

SENEY: What about outside of San Francisco itself, say, emanating out of Southern California?

MARKS: It was more conservative.

SENEY: And that was the area that began to dominate the Republican Party, wasn't it?

MARKS: Right. Orange County.

SENEY: Were you surprised at the outcome of the 1958 election? You won rather

handily in the 1958 election. Given the fact that it was a Democratic year, you did very well.

MARKS: I wasn't surprised at Knowland's campaign. I thought it was a terrible campaign. He disabused everybody supporting him. He was very reactionary. I knew him quite well.

SENEY: Did you? What kind of a person was he?

MARKS: Sort of stiff and formal, but he wasn't too bad.

SENEY: He ultimately committed suicide, didn't he?

MARKS: I think he did.

SENEY: Did that surprise you when you heard that news?

MARKS: A little bit.

SENEY: After that election, he really faded from the scene, didn't he?

MARKS: Right, he did.

SENEY: And before that he was a very significant force nationally.

MARKS: He was leader of the Senate.

SENEY: Right. Republican leader in the Senate. What else can you tell us about him?

MARKS: Well, I felt that his endeavors for the right-to-work initiative were terrible. He organized the Democrats. He really put together the Democratic Party. I mean, the Republicans were in charge of the whole thing. They had two senators who were Republicans, they had a governor who was a

Republican -- everything was Republican.

SENEY: Both houses of the Legislature?

MARKS: Everything was Republican. And then they lost it all.

SENEY: Were you ever in his presence when he discussed why he was so adamant for the right-to-work initiative?

MARKS: No, I don't think so. I tried to stay away from him as much as I could.

SENEY: What was your feeling about that? Did you think this was part of his campaign for President?

MARKS: Yeah, I really thought it was a ridiculous endeavor because he was hurting the Republican Party terribly. He was disabusing himself of any labor support, any Democratic support.

SENEY: And of course, the Democrats had been organizing themselves pretty effectively, too, at this point.

MARKS: Right. But they didn't control either House of the Legislature.

SENEY: Until this time.

MARKS: That's right.

SENEY: Do you remember election night in 1958? Can you remember that victory?

MARKS: I was happy for me.

SENEY: It must have been a good feeling after the fourth time you try and you win.

MARKS: That's right. And then I found that when I was only -- when I came up

here and I was the only Republican, the only brand new Republican in the whole state of California -- all the Assemblymembers were all Democrats -- they all kept on trying to get me to change parties. I wouldn't do it at that time.

SENEY: You mean when you came up that first time in 1958 the Democrats were after you to switch.

MARKS: Right.

SENEY: What did they say to you? What kind of arguments did they make?

MARKS: Be stronger, be more forceful, play a greater role. I just didn't do that. I got along very well with [Assemblyman Jesse M.] Unruh.

SENEY: Well, he didn't become speaker right away. [Assemblyman] Ralph [M.] Brown was elected speaker.

MARKS: That's right. The first vote I cast was for Ralph Brown.

SENEY: Yes, and you were chastised for that--

MARKS: Right.

SENEY: --were you not by the Republicans? Why did you vote for Ralph Brown?

MARKS: Because he was a good candidate.

SENEY: Did he come and see you before that vote and talk to you?

MARKS: I think he did.

SENEY: Of course, in the Legislature we know that bargains are made, and I don't want to use the word "deal" because that doesn't really say the right thing,

but you know if I'm a member of the Senate and I come to you and I have a bill and I'd like you to support it, I know that later if you come to me and ask me to support something and I can do that for you, I'm going to do that for you. That's how things work in the Legislature.

MARKS: Sometimes.

SENEY: You're smiling when I say this. Sometimes. What I'm trying to say is when Ralph Brown talked to you, did he offer you anything?

MARKS: No, he didn't. I remember one of the people who helped me in that campaign was [Senator John F.] Jack McCarthy, who was a Republican senator from Marin County, and he encouraged me to vote for Ralph Brown. He was against -- I can't think of his name now.

SENEY: Was it [Assemblyman Joseph C.] Joe Shell?

MARKS: No.

SENEY: I can't think of who it was either.

MARKS: Another Democrat. A Black Congressman.

SENEY: Oh, Hawkins. [Assemblyman] Augustus [F.] Hawkins. He was the other candidate, wasn't he, that was running.

MARKS: Right, right.

SENEY: What were the suggestions made to you by the Senator to vote for Speaker Brown.

MARKS: He told me that I would do better under Ralph Brown.

SENEY: And you got some pretty good committee assignments.

MARKS: Yes, I did.

SENEY: And you were vice chair to start with.

MARKS: I became the chair of the Constitutional Amendments Committee right way.

SENEY: Yeah. That was a little bit later, though, wasn't it?

MARKS: During my first term.

SENEY: Was that during your first term?

MARKS: Yeah, I think so.

SENEY: Or was it -- I think maybe that gets us into the second term and gets us after the reapportionment vote.

MARKS: I don't remember.

SENEY: Let's talk a little bit about the '58 one, and maybe as we -- you know, I know that this is a long time ago and there's been a lot of water under the bridge. I have some notes here that I hope will help you remember, but as we go along, you know, I think maybe things will fall into place a little bit. So don't worry about if we get a date wrong, we can fix that up.

What do you remember about coming to the Assembly as a new Member those first days?

MARKS: I was very impressed with it because I remember going to my office and meeting the people there. Alma Rickles was my secretary and I remember

her very well.

SENEY: Had she'd been Casper Weinberger's secretary?

MARKS: No.

SENEY: How did you get her as secretary?

MARKS: I think I was assigned by the Rules Committee.

SENEY: She had been here in the Capitol for some time probably?

MARKS: Right.

SENEY: That was, I would think, very helpful to you.

MARKS: Right. Then I had a man by the name of Jud Clark who started the *California Journal* subsequent after he left me. You've read the *California Journal*.

SENEY: Oh sure, of course.

MARKS: He helped start it. He used to work for me. I just felt very impressed by the fact that I was there. I remember being sworn in, the day I was sworn in. I was excited. I had no idea how long I was going to be here.

SENEY: Did you think it was going to be as long as it's been?

MARKS: No.

SENEY: I guess you've answered my question, but you didn't have any thoughts about how long a career you might have.

MARKS: I had no idea I was going to run for the Senate. I was going to be in the Assembly forever.

SENEY: That's what you thought.

MARKS: That's right.

SENEY: What were your objectives, do you think, in running for office?

MARKS: I just wanted to do a good job for the people of California, of San Francisco. I wanted to represent them. I had grown up in San Francisco, lived there all my life, and I wanted to do what I possibly could to help San Francisco, to help California.

SENEY: Had you had any contact with Governor [Edmund G.] Brown before this period?

MARKS: Yes, I did, when he was district attorney in San Francisco. I became very, very friendly with him. Extremely friendly with him. I used to go down once a week and sit in his office; the two of us would talk, just the two of us. I was the Republican Assemblyman from California and he was the Governor of California. The two of us would just talk about legislation and things we were doing. I became very friendly with him.

SENEY: Well, he was always very accessible, wasn't he?

MARKS: He was. He was a great governor.

SENEY: Tell us a little about him as a person.

MARKS: I felt him very easy to talk to. Very, very warm. Very friendly, very accessible. A person I could discuss matters of concern to me. I liked him very much.

SENEY: What would be the purpose of these meetings? Because I know not only did he meet with you but he, of course, as you know, met with many Members of the Legislature.

MARKS: I think I was the only one he really met with all the time.

SENEY: Is that right?

MARKS: I think he just wanted to talk to me about San Francisco and see San Francisco's concerns and what we were doing in San Francisco.

SENEY: This is one way, I suppose, he'd keep himself abreast of politics in these areas.

MARKS: Right. We'd spend a couple of hours every week. Go down to his office, down the stairs in the Capitol.

SENEY: Well, he was a very interesting man and over the years his reputation has grown, has it not?

MARKS: I think so. I think he was a great governor.

SENEY: What made him a great governor, do you think?

MARKS: He was progressive. He had a great program for education, a water plan, a number of other things of concern to us. He developed California. He did a lot on bond issues. Many things that were of concern to me.

SENEY: Did you find you could support him on most issues?

MARKS: I did.

SENEY: Among the things that he had on the plate, so to speak, in this first term

were the water bonds[1]. I take it you supported that.

MARKS: I did not support it.

SENEY: You did not. Why not?

MARKS: Because I felt that it hurt San Francisco. I wasn't quite sure, I don't recall now what it was, but at that time I felt it was harmful to San Francisco. There was some area that I was concerned with so I didn't support it.

SENEY: Well, there was a general concern that the flows into the Bay would not be as great as they had been.

MARKS: That was it probably.

SENEY: What did he say to you when you didn't support him on the bond?

MARKS: He didn't care. He had enough votes without mine.

SENEY: Although it was kind of close at one or two points. But he didn't have any problem in the Assembly, I think that's what you're saying, but the Senate apparently was a tougher problem on the water issue for him. I know that in the Assembly he was confident that he had enough votes, but the Senate required a little more finesse because, of course, it was apportioned differently in those days.

MARKS: I'm really trying to recall what it was I voted against. Something to do with San Francisco's supply of water. I didn't think it was good.

SENEY: Maybe the impact on Hetch Hetchy?

MARKS: Maybe, probably.

SENEY: Something of that kind? Well, he wouldn't quarrel with you when you had a judgment that your district was going to be affected, would he?

MARKS: No. He didn't quarrel with me ever. He was really great. When he was going to appoint me judge later on, he told the press he was going to appoint me judge but he was not going to insist I vote in any particular way. Whatever I did was okay with him.

SENEY: Although in that judgeship appointment it took him a while to finally make the appointment, didn't it?

MARKS: Well, I delayed it a little bit.

SENEY: Did you? Well, apparently the word was that he wanted your vote on the budget, the '65 budget.

MARKS: He probably did, but I also delayed it. I didn't want to leave the Legislature.

SENEY: Let's get to that because I want to talk about this, because that gets us into reapportionment later, is the reason for your involuntary retirement from the Legislature in 1965. Let me mention a couple of other things. There was the creation of the Fair Employment Practices Commission.[1] I take it you could support him on that.

MARKS: I was one of the authors of it.

SENEY: Right, and voted in favor of that. What about the abolition of cross-

---

[1] A.B. 91, 1959 Reg. Sess., Cal. Stat., ch. 121

filing?[1]

MARKS: I always believed in cross-filing. I don't think it's a Democratic view, but I always believed that the people should be able to try to run on both tickets, but I eventually supported it.

SENEY: What about the regulation of credit to -- there was a lot of installment fraud in these days, alleged at least, and Brown had a bill to limit installment credit and reform it.[2]

MARKS: I believe I supported it.

SENEY: And then the creation of a Consumer Counsel[3] -- that you also were able to support?

MARKS: I supported most of his proposals.

SENEY: What do you remember about that first session? What stands out in your mind?

MARKS: Well, I was impressed by the fact that I had a greater responsibility than which I ever had before.

SENEY: You mean just generally as a member of the Legislature?

MARKS: Yes, the Legislature. I used to go to all kinds of meetings, mostly with the Democrats because all my colleagues were Democrats.

---

[1] A.B. 118, 1959 Reg. Sess., Cal. Stats, ch. 284

[2] A.B. 500, 1959 Reg. Sess., Cal. Stats, ch. 201

[3] S.B. 33, 1959 Reg. Sess., Cal Stats, ch. 467

SENEY: You felt a little more in tune with the Democrats, you think?

MARKS: I probably did but they didn't prevail upon me too much. I was probably more Republican than I am now. But I was a progressive Republican.

SENEY: Well, that's the only kind of Republican you could have been in San Francisco, isn't it, and be elected.

MARKS: I had a district which was 17 percent Republican.

SENEY: It was 17 percent Republican?

MARKS: That's all.

SENEY: So you couldn't be a very conservative Republican and be elected in that district. It does seem kind of strange to me that you were ever a Republican.

MARKS: Well, I was a Republican when the -- see, I was a Rockefeller Republican. I was a Republican when the Republican Party had some liberals. [Jacob] Javits was a Republican and Rockefeller was a Republican and Kuchel was a Republican. Warren was a Republican. These had progressive views that I thought were good for the people, and therefore, I was trying my best to steer the Republican Party that way. I didn't do it but I was trying to steer the Republican Party to be more progressive.

SENEY: And the Republican Party kind of shifted to the right.

MARKS: Very reactionary.

SENEY: Tell me a little more about the 1959 legislative session, the first one. That

must have been an existing time for the Democrats, I would think, to come down here and be in the majority.

MARKS: They controlled everything. The Republicans were out. I was surprised I got appointed to anything.

SENEY: The vote for Ralph Brown didn't hurt in terms of your appointments to committees and so forth.

MARKS: No. The Democrats were in charge.

SENEY: You must have made a judgment at that point that this would be a wise thing to do.

MARKS: I liked Ralph Brown very much. He was in charge of the right-to-know legislation. One of the first jobs I was given in the Legislature was to prepare amendments to his bills. I was asked to help him and I did.

SENEY: Yes, his open meeting bill, this Brown Act[1] which bears his name. Well, I know you prepared amendments to that which would have said if two or more legislators are meeting on any subject that would have counted.[2] And then there was another one that extended it to school boards and city councils and the boards of supervisors.[3] Because they were getting around the law and skirting it.

---

[1] A.B. 339, 1953 Reg. Sess., Cal. Stat., ch. 1588

[2] Unable to verify

[3] A.B. 363 1961 Reg. Sess., Cal Stat., ch. 1671

MARKS: I believed in the bill very strongly.

SENEY: It was a very important piece of legislation, wasn't it?

MARKS: It was, and I played a role in it.

SENEY: How did you come to play this role with him on that?

MARKS: I told Ralph Brown I was interested in the subject and he asked me to take over.

SENEY: So he said, "Good, I've got something for you to do"?

MARKS: Yeah.

SENEY: That was all it took.

MARKS: I prepared all the amendments.

SENEY: And with him being speaker, I take it they didn't have a whole lot of trouble getting it passed. Not only was it, I suppose, interesting because you were interested in this part of the law itself and hoping to change the policy, but was it also instructive in terms of how the Legislature worked?

MARKS: Sure it was.

SENEY: What did you learn about that?

MARKS: I learned about the committee system. I learned about how bills are handled and what you do about amendments to bills, how bills go through, how you have to talk to people. I probably got to the point where I talked to a lot of lobbyists, because I think they're very helpful. An honest lobbyist, which are the only ones I pay attention to, must tell you who they

represent and give you their viewpoint. Then I would talk to the other side. I would talk to both sides before I decided upon a bill.

SENEY: Who were the lobbyists, if you can remember, that you dealt with on these open meeting laws? I know the League of Cities people were. You had to win them over, didn't you, or try to win them over?

MARKS: Yeah.

SENEY: Do you remember if you were able to do that, or did they continue to oppose expanding this to cover them in a local context?

MARKS: I think they eventually supported it.

SENEY: Because it was popular legislation, wasn't it? The people liked it.

MARKS: Yes. I believe that the public has a right to know what goes on in every office. I think if we were talking here, we should be talking publicly too.

SENEY: We are. They'll get to read what we're saying here. I agree with you, I think that's important -- important reforms, and it was pretty broadly supported, wasn't it, and difficult to resist.

MARKS: It was.

SENEY: Well, that's interesting that the speaker would say to a freshman member of the opposite party, "Well, go ahead and carry this." Did that surprise you?

MARKS: No. I was very pleased.

SENEY: Did you regard this opportunity as a real opportunity again to get to know

the Legislature and to get to know the leadership of the Legislature?

MARKS: I did. I got to know him very well. I was very friendly with him.

SENEY: And he served two terms as speaker, did he not? Or one?[1]

MARKS: I think so. Two terms.

SENEY: I'm trying to think when Unruh was elected speaker, and Unruh was elected--

MARKS: Unruh was elected on his birthday. September 30th.

SENEY: In 1961, if I'm not mistaken. Tell me about Unruh. You must have met him right away.

MARKS: I liked Unruh very much. I think Unruh did an awful lot to help the Legislature to go along and proceed in a way that was good for the Legislature, to try to build up the Legislature's importance. I really did like him. And I also found that when he would tell me something he would live up to it. He was honest, completely honest. I think the effort to depict him as something different was wrong. I liked him very, very much. My wife did too.

SENEY: Well, he was a very effective legislator, wasn't he?

MARKS: Very.

SENEY: What made him effective, do you think?

MARKS: He worked very hard, extremely hard. He knew every piece that was here.

---

[1] Ralph M. Brown served as Speaker from 1959 to September 19, 1961.

SENEY: What do you mean when you say "He knew every piece that was here"?

MARKS: He knew everybody that was important to the Legislature. He could put groups together to work together.

SENEY: He must have been a pretty good judge of character and personality, I would think; know what people were like.

MARKS: He was. One time I had a battle with him. It was when the Republicans were trying to learn something about the school budget and he locked us all up for overnight and then he threw us all out as chairmen of the committees, including me. He came over to me and said, "I still love you." I said, "It's unrequited."

SENEY: Well, eventually he put you back in, didn't he?

MARKS: Then I became the only Republican chairman of a committee.

SENEY: Now we're getting into the '63 period here when this incident occurred, and it was a big mistake on his part, wasn't it?

MARKS: It was stupid. Very stupid. He drank very heavily that night and he was prepared to resign, all kinds of things that were terrible.

SENEY: My understanding of that from the Republican side was that it was kind of a ploy, that [Assemblyman] Houston [I.] Flournoy and [Assemblyman]Bob Monagan were walking back from lunch and they kind of fell upon this way of throwing a monkey wrench into the works, that is demanding to know in detail of the school financing aspect of the budget, which really

wasn't very important after all. There was some reason that Unruh didn't want to disclose it, which was not very important, but Unruh got his back up.

MARKS: That's right. He said, "Anybody who votes my way can be released," can go out of the thing. None of us did. We all slept on the Assembly Floor.

SENEY: And this made the national news, didn't it?

MARKS: That's right.

SENEY: My understanding is this was something that Unruh never really quite recovered from politically.

MARKS: I don't think he did.

SENEY: Well, let's go back to him at the beginning here because when you meet him and the Democrats are in control, he's now chairman of the Ways and Means Committee. I understand that prior to this period that the governors would have a lot of say on who was Ways and Means Committee chairman, because their budget went through there.

MARKS: They often would appoint them.

SENEY: Right in cooperation with the speaker, they would say I want so and so and that would be it. Did Brown want Unruh, do you know?

MARKS: I really don't know because they later became unfriendly. I'm not sure whether they were friendly or not at the beginning.

SENEY: In these meetings with Governor Brown, did he ever discuss Unruh with

you?

MARKS: No. Not too much.

SENEY: Not too much. What did he say?

MARKS: He rarely would talk about Unruh. I was loyal to Unruh and I was also loyal to Brown.

SENEY: So maybe you weren't the person to talk to about if the governor was unhappy with the speaker. Because my understanding is that when Unruh became chairman of Ways and Means he didn't really cooperate with Brown in the way that these chairmen had in the past.

MARKS: I don't think he did.

SENEY: Did you know that? Were you aware of that?

MARKS: Yes, I was, somewhat.

SENEY: What was your take on that, your reaction to that?

MARKS: Well, I felt it was a legislative matter, the Legislature should decide what they're going to do with the governor.

SENEY: That apparently was Jesse Unruh's view as well, wasn't it, that the governor draws up the budget, the Legislature evaluates it. These are two bodies and aspects of the Constitution that are separate here.

And I take it that his view would have been popular with members of the Legislature.

MARKS: It was.

SENEY: Did you have much dealings with the Ways and Means Committee?

MARKS: I had a lot of bills before them.

SENEY: Let me put another tape in.

[Begin Tape 3, Side A]

SENEY: Go ahead, Senator. You were talking about Mr. Unruh.

MARKS: I think Jesse Unruh was really a great man. He was a great leader. He was tough -- very tough. He was very aggressive and very tough, but he also had the ability to do what he said he would do. I remember a couple of bills that he supported very heavily. He was very much pressured by Democrats to oppose them and he said he was going to support them, and he did.

I think he did an awful lot to help the legislative committees, the Legislature itself. I think he built up the staff of the Legislature. I really think he did a lot of good.

SENEY: In terms of staff, how were things different between the time you came in, in 1958, and the time you left, in 1966?

MARKS: It was much bigger in those days. The staff was very small. When I first went to the Assembly, I shared a room. I shared one of the rooms with one of the Assemblymen. I think I got the smaller one because he had a little seniority over me.

SENEY: And you had a secretary. And did you have one other staff person when you began?

MARKS: I think I had two secretaries and a young man named Jud Clark.

SENEY: And by the time you left in 1966, how many staff people did you have on personally, as a Member?

MARKS: Maybe ten.

SENEY: Did you have a district office when you began in 1958?

MARKS: Yes.

SENEY: They did have districts offices then. So you had a couple of people over in the district office?

MARKS: Yeah. I'm trying to recall where the district office was. I think it was in a state building.

SENEY: But by the time you left in 1966, that staff had grown too.

MARKS: Right.

SENEY: And I take it, you considered this to be a worthy reform and a big help to you.

MARKS: I really felt that very few people on the staff wasted their time. I worked them all very hard. I tried to see that the staff did what they were supposed to do.

SENEY: What did you want them to do? What was your assignment?

MARKS: I wanted them to represent the people -- the district I represented. I

wanted them to be representative of the constituents of my district very well. I wanted them to attend a lot of meetings and prepare a lot of letters. There were many things that were of concern to the people in my district. I also gave them instructions that they must accept a telephone call, anybody that called in.

SENEY: If it were a collect call, do you mean?

MARKS: No, no.

SENEY: Just any kind of call.

MARKS: No, a constituent.

SENEY: I see.

MARKS: They were to pay attention to them. They were to work with them. I always saw to it that I went to a lot of meetings. I'm constantly going to meetings. They say that [if] there are three people in the room; one will be Milton Marks.

SENEY: And you don't mind that when they say that?

MARKS: No.

SENEY: Well, I take it your staff would give you a much bigger reach than into your district and help you meet the needs of your district and so forth. I know in looking through your files, you are very responsive to the people in your district. I mean, there are letters in there thanking you for various things that you have done for them and copies of letters that you have sent

them on special occasions, on occasions of weddings and so forth and so on. You keep a very close touch on all that, don't you?

MARKS: I still do. I still go out to many events. There are very few evenings I spend at home.

SENEY: You know, this is -- and I don't want to say the wrong thing here -- but this was very much like, say, machine politics where the political boss -- and I'm not suggesting that's what you are -- but the political boss would go around and meet with the constituents not only because he kept in touch with the constituents but because the political boss felt in a way that he had an honored office and that by coming to someone's reception and coming to someone's meeting you brought a little of that prestige with you and you shared it with the people who'd given you those responsibilities. Do you have that feeling, too, when you're doing these things?

MARKS: I think it's very important that I go out and meet people. Very important. I go to lots of weddings and bar mitzvah's and funerals, and God knows what else you can think of. I just think it's important to meet people. I think people like the fact that I'm there and that I've written letters to them.

SENEY: That's the part I'm getting at.

MARKS: A lot of people carry the letters around in their pockets thirty years after I sent them to them.

SENEY: That's the part I'm getting at, that this means something to the people because they regard you, because of the office you hold, as someone important and that you'll take the time to write them or come to their wedding or their father's funeral. It brings a little -- what do I want to say? -- a good feeling to them.

MARKS: I think so.

SENEY: And you must look at it that way in part, because I know you're not a -- you know, some people let these offices go to their heads and I know you've never been that way, you've never had that reputation. You don't carry yourself in that fashion. But still, it has the effect of sharing the prestige of your office with the people in your district.

MARKS: I would go to a lot of different meetings where I'd be the only person there -- only public person there. And I just would try my best to see what I could to help them -- legislation they were concerned with. I remember one time, my wife was called at our home and some man had a problem with his sewer. She went out personally and fixed the sewer.

SENEY: Well, that's wonderful representation. There's no question about that. And again, I guess this is -- you know, you try to respond to their problems and look after them.

MARKS: I do.

SENEY: Do you remember the Republican leaders in that 1959 session?

MARKS: I think Joe Shell.

SENEY: Joe Shell was the minority leader. Do you recall him?

MARKS: Yeah, I remember Joe. Very conservative.

SENEY: He was, wasn't he?

MARKS: He ran for governor once.

SENEY: Well, he ran against Mr.[Richard M.] Nixon -- remember? -- in 1962 in the primary.

MARKS: I got along with him fairly well.

SENEY: He must not have regarded you as one of his more loyal [associates].

MARKS: No, I was not. I was considered the best the Democrats ever had.

SENEY: Did he appreciate though that you were doing what was necessary in your district?

MARKS: I really think he did, but I'm not so sure some of his colleagues did. I think some of the Republicans in the caucus were very critical of me.

SENEY: Was that because they were maybe a little more ideologically oriented and not quite so practical?

MARKS: They were conservative and they felt that if a Republican proposed something you must vote for it.

SENEY: Did they not appreciate that had you voted for a lot of these things that it would have hurt you in your district?

MARKS: Some of them did.

SENEY: Because, as you know, there are people who are practical about that and who say, "Well, I can't do this; my constituents would roast me for this," and the person asking for the vote says, "Well, I understand you can't do it if it's going to hurt you in your district."

MARKS: Some were very critical of me.

SENEY: Who, do you remember?

MARKS: Well -- now I'm skipping a lot -- I'm now in the Senate. Senator [Ray] Johnson was very -- Ray Johnson was very, very critical of me all the time.

SENEY: For not being enough of a Republican.

MARKS: That's right.

SENEY: But he became an Independent, didn't he?

MARKS: That's right. Very stupid to do that.

SENEY: After he had some troubles of his own with Senator [John] Doolittle and others.

MARKS: That's right.

SENEY: Well, that must have made you chuckle when he became an Independent. Did it?

MARKS: A little bit. I think it was stupid not to become a Democrat.

SENEY: He should have switched over.

MARKS: He would have been elected.

SENEY: Well, that's an interesting irony as far as he's concerned in terms of criticizing, because the Republicans did him dirt in this reapportionment business in terms of the way the districts were written and they did Mr. Doolittle a favor and did him some damage and out he goes as a result of that.

Well, if we could go back to 1958, who were your favorite legislators in those first years in the Assembly?

MARKS: [Assemblyman] Alan [G.] Pattee was one of my favorites, from Salinas.

SENEY: And tell me a little about them as you name them.

MARKS: He was a Republican but he was a liberal Republican, progressive, and I liked him very much. A very intelligent man. He went to Harvard. He didn't act intelligent but he was intelligent.

SENEY: How do you mean he didn't act intelligent?

MARKS: Well, he was just sort of easygoing.

SENEY: Do you recall working with him on anything?

MARKS: A lot of pieces of legislation, yes.

SENEY: Did he have a good insight into the legislative process and how to get things done?

MARKS: He was very friendly with Unruh, as I was.

SENEY: He was Agriculture chairman during this period too, wasn't he?

MARKS: Right.

SENEY: Which would indicate he would have a good relationship with Ralph Brown and with Jesse Unruh, I guess.

MARKS: I was friendly with Hugh Flournoy.

SENEY: He was a very different kind of person from Mr. Pattee.

MARKS: More conservative.

SENEY: He had been a professor at Claremont. I would think his style would be a little different maybe.

MARKS: I became friendly with Charlie Meyers even though I ran against him.

SENEY: Was that because you would work together on San Francisco matters?

MARKS: Yeah, we did.

SENEY: At this point, in 1958, there are five representatives -- Assemblymen.

MARKS: Six.

SENEY: That's right, six. I'm sorry. It becomes five after the 1960 reapportionment.

Did you meet together regularly to discuss San Francisco matters?

MARKS: We used to have a lot of staff meetings quite regularly. My seatmate was [Assemblyman Edward M.] Ed Gaffney. And I've become very friendly with his whole family now. I'm very friendly with them now. I was the brand new Republican. He was an aging Democrat.

SENEY: Well, by this time he'd been in office over twenty years.

MARKS: That's right.

SENEY: Was he helpful to you?

MARKS: Yes, he was.

SENEY: In what way was he helpful?

MARKS: He gave me some ideas on how to vote on some legislation. Sometimes I would vote for him.

SENEY: There is a lot of legislation and a Member can't know every bill and the implications of every bill, and if someone doesn't come and talk to you about it, another Member, then you have to look to your seatmate or the leadership or someone else you trust.

MARKS: He was defeated by [Assemblyman] Willie [L.] Brown [Jr.].

SENEY: That's right. That's in 1964.

MARKS: First time, Willie Brown lost to him.

SENEY: In '62 he lost?

MARKS: Yes.

SENEY: Let me just talk a little bit more about Unruh before we go on. How did your relationship with Unruh evolve through the years? And that includes when he left and ran for governor and became treasurer.

MARKS: Well, I became very friendly. I would talk to him quite frequently. I would see him. I'd go to his office many times.

SENEY: When he was treasurer?

MARKS: All the times. And I became very friendly with him. I remember when he

threw me out as--

SENEY: Constitutional Amendments chair.

MARKS: --as chairman, that my wife was terribly annoyed at him. She liked him very much and she was going to talk to him. She did talk to him but he just charmed her. She didn't do anything.

SENEY: Well, you know, when I met your wife she mentioned that incident and said exactly the same thing, that she was angry with him and by the time she got through talking to him he'd completely charmed her over the matter.

MARKS: That's right. He was annoyed with all the Republican chairmen. I had spent all night trying to resolve the problem. I was trying to bring it together -- bring the Republicans and Democrats together -- and I was very annoyed at him the next day when he threw me out. I was chair of the Government Organization Committee and he threw me out and I just couldn't understand why he would throw me out.

SENEY: What was the problem, and how did you go about trying to resolve it?

MARKS: Well, I didn't talk to him for several months.

SENEY: No, I mean what was the problem you were up all night trying to resolve?

MARKS: I was trying to get the Republicans and Democrats to agree to find some way to reach some accommodation.

SENEY: He claimed that the Republicans had been way too partisan and that that's

why -- and he was just tired of having the Republicans be this way and he'd put Republicans in chairmanships and now he was going to take those away if that's the way they were going to behave.

MARKS: That may have been.

SENEY: Do you remember what he was angry about specifically?

MARKS: Well, he was angry because we held up the budget. We weren't going to vote for the budget.

SENEY: The budget needed two-thirds vote, of course.

MARKS: That's right, and we weren't going to vote for it. I remember sitting there in that little room, the Assembly room -- right above the Assembly chambers, the sergeant-at-arms room. It was a little tiny room, about half the size of this room, and all of us were gathered in this little room trying to work out something.

SENEY: Between the Republicans and the Democrats.

MARKS: I spent all night. I stayed up all night trying to resolve the problem, and therefore, I was very annoyed at him when he threw me out. I told him that love was unrequited.

SENEY: Well, the Government Operations Committee was just dormant while you were out of it. Right? I mean, he didn't appoint anybody else in your place.

MARKS: Right.

SENEY: And then he put you back in after almost a year. Something like that. Did you forgive him then?

MARKS: Sure. Oh, yeah.

SENEY: Because it's just politics, isn't it? It's not personal.

MARKS: I defended him all the time. I would defend him with the Republicans who did not like him. They felt he was very aggressive, which he was, and he was trying to do what he could to help the Democrats but he also helped the Legislature.

SENEY: Right. You know, he thought he had an agreement with Governor Brown, that Governor Brown would serve two terms and Jesse Unruh would run for governor in 1966. Do you recall that?

MARKS: Probably.

SENEY: Do you ever remember talking to Unruh about that or the governor about that?

MARKS: No.

SENEY: Of course, Pat Brown ran again and lost to Governor [Ronald] Reagan, and then in 1968, the Democrats lose the Legislature -- I want to keep talking about Unruh here for a minute -- and Unruh runs for governor in 1970. Did that make sense to you? Do you recall if you thought about that?

MARKS: A tough battle.

SENEY: Yeah. It was a real uphill battle against Reagan, wasn't it? Did it look to you like a kind of suicide mission on Unruh's part?

MARKS: Not a suicide. I mean, the Democrats represented more people than the Republicans did. I felt that Reagan was popular, but not with me. I didn't like him at all. I did not get along with him at all. I one time told Governor Reagan, when he wanted to see me, I said I'd come down and see him if he would apologize to me, and he did apologize.

SENEY: What did you ask him to apologize for?

MARKS: Something he said about me.

SENEY: I interviewed [Assemblyman Eugene A.] Gene Chappie, whom I know you knew, and Gene Chappie told me that Governor Reagan used to have the Republicans over to the Governor's Mansion and there was apparently a basement room, and during one of those meetings he was annoyed with you, I guess, and he said, "Milton, you really ought to be a Democrat instead of a Republican," words to that effect. Do you recall that?

MARKS: No.

SENEY: I was wondering maybe if that's what you wanted him to apologize for.

MARKS: No. He just said something about me -- some action that I had taken that I hadn't taken, and I said if he apologized to me I'll come down and see him.

SENEY: Did he apologize?

MARKS: He did apologize.

SENEY: Let me get back to Unruh. Unruh then in '74 runs for State Treasurer and was elected and elected again and again and so forth, and that was really not much of an office when he took over.

MARKS: No. He built it up tremendously.

SENEY: He did what he was very good at, and that is creating power where there really wasn't much. Did you have much contact with him when he was treasurer?

MARKS: Fair. I'd see him occasionally.

SENEY: I guess your responsibilities wouldn't bring you into contact that often.

MARKS: Not as often as I used to.

SENEY: Had he changed at all by that time, do you think? How would you describe him then?

MARKS: He gained weight a lot. He went up and down quite a bit. He one time was huge and one time he lost a lot of weight. I don't think he changed too much. He decided to become a statesman rather than a legislator.

SENEY: And he still had a lot of influence in the Legislature, didn't he? when he was State Treasurer.

MARKS: He did. He had a lot of influence.

SENEY: Well, let's go back to 1960 because you ran for reelection in 1960.

MARKS: Who'd I run against?

SENEY: You ran against George Moscone. And you won, of course, in that case. In fact, you won rather decisively. You got 31,574 votes and Moscone got 22,133 votes. So you won very nicely. I would think that Moscone would have been considered a pretty strong opponent.

MARKS: Well, [Assemblyman A. Phillip] Phil Burton, I think, put him in the campaign. He was a young lawyer in the Marina somewhere, and he decided he was going to build him up, and he tried to build him up to run against me but didn't.

SENEY: Well, Phil Burton was still in the Assembly at this point, wasn't he?

MARKS: Yeah.

SENEY: Talk a little bit about Phil Burton, at this point. I want to come back to him later some more.

MARKS: Phil Burton was a very good legislator. He was a very able legislator. He knew the subjects which he was chair very, very well.

SENEY: He was Chair of the Social Welfare Committee.

MARKS: Social welfare, and he knew reapportionment unbelievably. He could tell everybody's district. He could tell you what was in your district much better than you could. He was the one that was responsible for my leaving the Legislature originally because he reapportioned the district in such a way that I lost my district.

SENEY: Right. This was in 1965.

MARKS: Right.

SENEY: But he was the one who put Moscone up against you. Do you recall that campaign? Does that one stand out in your mind?

MARKS: Well, I used to go to a lot of different meetings with Moscone. I don't remember too much. I really don't remember too much about it. Moscone was a young man then and so was I.

SENEY: What was Burton's reaction, do you remember? Did he say anything to you after you beat his guy?

MARKS: He wasn't too happy about it.

SENEY: I'm sure he wasn't. Did he say that, or did he say, "Congratulations, Milt, I'll get you next time," something like that?

MARKS: He always was trying to disabuse me of my efforts. I was a Republican in those days and he used to do all he possibly could to help Democrats.

SENEY: Well, you know, San Francisco is a fairly Democratic town, except during that period George Christopher was mayor from '56 to '64. What kind of a relationship did you have with him?

MARKS: Very good. I think he was a very good mayor. My father had helped him in his first campaign. I think when he ran for supervisor the first time he helped him. I became very friendly with him. I still am friendly with him.

SENEY: Yes, he's still alive and in good health.

MARKS: He's still a Republican but he's a fine man.

SENEY: Well, he's more the kind of Republican you were, isn't he?

MARKS: Right.

SENEY: I mean, progressive and what not. Did you support him for lieutenant governor in '62, do you remember, when Christopher ran for lieutenant governor?

MARKS: I believe I did.

SENEY: What about in '66 against Reagan in the primary?

MARKS: I really don't recall.

SENEY: I think maybe you might have. I think there's some indication in the files that you let me see that you supported him as opposed to Reagan.

MARKS: I probably did because I didn't like Reagan at all. I really felt that Reagan would never be like a governor, much less President.

SENEY: What special memories do you have of George Christopher? Again, I don't know if anybody will ever get around to interviewing him since he was a local official -- we won't on this project -- but what things should we remember about him?

MARKS: He was a great leader of the city, his ability to try to bring people together. He was very good at that. I remember when the Russians came to San Francisco -- he treated them very well. Those were the days we weren't doing very well with Russia. I thought he was more progressive than some of the other Republicans. I think if he were a little bit younger he

still could be reelected mayor.

SENEY: He was very popular and it's still going on, even though the city's changed considerably since he was mayor. How often when the phone rang would it be Mayor Christopher on the other end of the line wanting to talk to you about some kind of matter here in Sacramento?

MARKS: Occasionally. We talked about some bills that the city was interested in.

SENEY: Do you remember what those might be?

MARKS: Some of the bridge bills, some of the bills involving taxes, something to do with transportation, some other bills.

SENEY: Did you carry legislation for him, or would he more likely talk to Mr. Meyers or Mr. Gaffney or Phil Burton about that kind of thing?

MARKS: He probably talked to [Senator J. Eugene] McAteer.

SENEY: The Senator -- McAteer. To carry legislation that he was interested in. I take it, when your staffs would meet, of all you Assembly Members and Senator McAteer's staff, you would discuss what the city was interested in.

MARKS: Right. We'd get a little blurb from the city of what legislation they were interested in. A little publication.

SENEY: And I take it you normally wouldn't have any problem with that kind of thing. Housekeeping kind of things.

MARKS: Mostly legislation.

SENEY: Right. So in terms of the '60 campaign, it doesn't really stand out particularly, the Moscone campaign.

MARKS: I really don't remember too well.

SENEY: See, I would think that here you're elected once in '58 and against the Democratic tide. Burton then puts up what he must have thought was a good candidate against you in 1960 and backed him well -- Burton did that -- and you beat him decisively. You must have felt like you were in pretty tall clover at this point.

MARKS: It felt pretty good.

SENEY: That maybe you'll get some opposition in the future but they're probably going to leave you alone and spend their money somewhere else.

MARKS: They ran somebody against me every time. I always won.

SENEY: What about the '60 campaign -- did you support President Nixon?

MARKS: Who was he running against?

SENEY: [President John F.] Kennedy.

MARKS: I hate to say so but I probably did.

SENEY: You think you voted for him?

MARKS: Probably, but I don't like him at all now.

SENEY: Did you work for him at all?

MARKS: No.

SENEY: Did you have anything to do with him?

MARKS: No.

SENEY: What are your memories of your second term in the Assembly, after the 1960 election? Let me say at this point now that reapportionment comes up.

MARKS: Well, reapportionment was very difficult for me because I was opposing Burton on many of the things he was trying to do but I recognized I didn't have much chance. The Democrats controlled the Legislature and I didn't have much chance to do anything.

SENEY: If you remember, in the 1960 reapportionment Unruh becomes speaker and he makes [Assemblyman Robert W.] Bob Crown reapportionment chairman.

MARKS: Bob Crown was a very good friend of mine. Bob Crown and I were the only Jewish Members of the Legislature. The whole Legislature, with only two in the Assembly. None in the Senate.

SENEY: So that brought you together a little bit.

MARKS: Yeah, we were very friendly. I went to law school with him too.

SENEY: Oh, did you? I understand he was a very sharp guy.

MARKS: Very sharp.

SENEY: I mean really sharp. Really first-class brain. And a very good legislator. Talk a little about him.

MARKS: I was very disturbed when he was killed.

SENEY: He was hit by a car.

MARKS: He was crossing a street and some car came against him and hit him in the street. I was very friendly with him. I used to have a lot of Jewish activities we were concerned with, and I used to know his aunts very well. He had two aunts that he lived with.

SENEY: He was single, was he?

MARKS: Yes.

SENEY: Let me turn this over, Senator.

[Begin Tape 3, Side B]

SENEY: We were talking about Assemblyman Crown. You were saying he lived with his aunts.

MARKS: He was very friendly with his aunts. I'm not sure if he lived with them or didn't, but they were very close to him. Two Jewish ladies, whose names I cannot remember now. Charlie Meyers could tell you. I can't.

SENEY: That's all right. What was it about Assemblyman Crown that made him an influence? I know he was well-liked and well-respected.

MARKS: We used to joke a lot. We used to do things, like we'd do questions and answers to each other.

SENEY: Can you remember any of those?

MARKS: Oh, yeah. A lot of the questions and answers that he would do to me that I

would do to him. He had a great ability to know things. He was a very likable man.

SENEY: Hard working, I understand.

MARKS: Very hard working.

SENEY: And kind of a natural feel for the Legislature, I'm told.

MARKS: Very good. Very good.

SENEY: Now, after the 1960 census, it became clear that San Francisco was going to lose representation. They had six Assembly Members going into this, and it looked like it was going to go down to four. They ended up with five: four Democrats and you.

MARKS: Right.

SENEY: And you were one of the so-called ten Republican rebels -- I think that's what the Republicans called you -- who voted for the reapportionment. How did that happen? How was it that you ended up voting for the Democratic plan?

MARKS: Well, because I thought it was very fair. They had talked to the Democrats and Republicans in the area of support and I thought it was a very fair plan, and therefore, I decided to vote for it.

SENEY: As I'm sure you know, the 1950 reapportionment of the Assembly -- the Senate was not reapportioned of course, either in 1950 or 1960, because it had been reapportioned long ago on a different basis -- but the 1950

reapportionment, the Republicans were in control and it was, if you recall, regarded as a very partisan reapportionment.

MARKS: It was.

SENEY: That heavily favored the Republicans and really kind of shafted, for want of a better word, the Democrats.

MARKS: It was terrible.

SENEY: So when 1960 came around, I think the Democrats felt, "It's our turn."

MARKS: That's right.

SENEY: And there were, I think at that point, 33 Republicans in the Assembly and it looked like the number was going to go to 27. That was about the best you could hope for under the Democratic plan, if I recall, that it might have even gotten worse. And your view was that you kind of saved a seat for San Francisco.

MARKS: That's right, I did. It would have been lost otherwise. I worked with Burton on that one.

SENEY: With Burton on that?

MARKS: Yes.

SENEY: How did that work out? How do you negotiate something like that? How do you handle something like that?

MARKS: We sat down, we had a lot of meetings and talked--

SENEY: When you say "we," you mean--?

MARKS: Burton and I. A lot of meetings to talk about the areas that I wanted and that he was willing to give me to see what could be done. I remember one area, there was a Republican Congressman -- Mailliard was the Congressman. He was trying to help Mailliard a little bit too. And so he gave one area that was heavily Republican to Mailliard and to me and that helped.

SENEY: Because did he have to keep your district inside of Mailliard's district?

MARKS: Yes.

SENEY: He took some Republicans away from Shelley, I take it, Congressman Shelley, and gave them to Mailliard and you got the benefit of that.

MARKS: Right.

SENEY: Did Crown kind of let Burton determine what the San Francisco makeup was going to look like?

MARKS: Yeah, he let Burton do an awful lot.

SENEY: Did you meet with Crown about these reapportionment matters?

MARKS: Yeah, we did.

SENEY: Do you recall what those discussions were like, what you might have talked about?

MARKS: Well, I just wanted to preserve my seat.

SENEY: Understandably.

MARKS: And he was agreeable to that, provided there were four Democrats.

SENEY: And you didn't have any quarrel with that.

MARKS: No.

SENEY: I mean, it was a pretty Democratic town at that point.

MARKS: Seventeen percent Republican. It's unbelievable.

SENEY: I'm wondering if, in terms of these negotiations, they say something to you like, "Well, we know you're a Republican but you vote right, you vote with us most of the time and we know we can depend on you when we need you and you've got the right outlook, so we're going to take care of you, we're going to look after you, we're not going to hurt you."

MARKS: Something like that.

SENEY: There were words to that effect.

MARKS: Right.

SENEY: Can you say it instead of having me say it.

MARKS: They told me that I was helpful to them in many different areas and they were going to try to preserve me.

SENEY: I don't want to overplay this aspect -- you brought it up that you and Assemblyman Crown were the only Jewish Members of the Assembly. Did that help a little, do you think?

MARKS: Well, we used to talk quite a bit. We'd go to Jewish events and other things. I discovered that he was a Jew -- I didn't know he was Jewish at all.

SENEY: "Crown" is not a recognizably Jewish name.

MARKS: No. I didn't know -- he told me he was Jewish, and I was too, and the only two people in the whole Legislature. There were none in the Senate.

SENEY: That situation's changed though, hasn't it, over the years.

MARKS: Right.

SENEY: Did you meet with Unruh on reapportionment too?

MARKS: Yes, we did.

SENEY: Tell me what happened in those meetings.

MARKS: Unruh was pretty dependent upon Burton. He let Burton do an awful lot of it.

SENEY: But they didn't get along very well, really, did they? They were kind of adversaries a little bit.

MARKS: I think on reapportionment they got along pretty well. Burton was a very tough guy, very tough.

SENEY: Well, here you have two guys -- Unruh and Burton -- very ambitious, very tough, and my understanding is that they clashed and that Unruh was not exactly sorry to see Phil Burton go to Congress in 1964.

MARKS: Probably not.

SENEY: But obviously, on some of these things they're going to cooperate and they did on reapportionment.

MARKS: They did.

SENEY: But again, Unruh would have obviously the same view, that you've been reasonable on these votes.

MARKS: Yeah. I was very friendly to him. I didn't vote Republican very much.

SENEY: So they knew that whatever party label you might have you were a pretty reliable vote as far as they were concerned.

MARKS: I was.

SENEY: And you got a nice district. That was a good district, wasn't it, for you.

MARKS: It was.

SENEY: You were one of ten Republicans, Pattee voted with the Democrats on this -- I can't remember who the others were -- but there were ten of you who went along with the Democrats on this plan and you were denounced by the Republican leadership.

MARKS: Of course.

SENEY: Do you recall -- and you're smiling when we say this--

MARKS: Oh sure, because they were critical of us and what we said was "Well, we think we did the right thing because we're supporting a plan that the Republicans should be for."

SENEY: And the Democrats wanted Republican votes for this plan, didn't they? They wanted it to look bipartisan.

MARKS: They did. They wanted it bipartisan.

SENEY: They wanted it to look like it was a bipartisan plan because there was

some question as to whether or not there might be a legal challenge to it otherwise, wasn't there, if it didn't look like a bipartisan plan.

Do you remember any of the discussions with Joe Shell on this?

MARKS: Well, he talked to me a little bit about it, that he thought they were wrong, the ten people -- thought we were wrong -- and we should be Republicans, and we said, "You're wrong too."

SENEY: Did they make any threats? Did they threaten to run somebody against you in your district?

MARKS: Later on when Bill Richardson and I -- because when I was in the Senate with Bill Richardson he advertised that he wanted a candidate to run against me as a Republican. Said he'd throw me out of the caucus.

SENEY: Well, we'll get to that when we get to the senate, but in this case Shell didn't say, "You're not getting any more money," although I'm not sure that would have been a threat, would it, because you probably raised your own money and you weren't spending very much anyway.

MARKS: That's right.

SENEY: I think you spent on the '64 campaign a little less than $10,000. Ninety-seven fifty, I think was the budget that I saw in the files that you let me see.

So you're not spending very much money, so that's not a credible threat. Obviously, committee slots aren't a credible threat because those come

from the Democrats. And let me say that right after the reapportionment plan passes, you're then made chairman of the Constitutional Amendments Committee.

MARKS: Right.

SENEY: Was there any connection here? Did Unruh say to you, "Listen, Milton, if you go along with us on this, you know, we need a new guy on Constitutional Amendments and we think you're the guy." Is this how it works?

MARKS: I don't think so. I think he just appointed me.

SENEY: Outsiders might think that not saying that--

MARKS: It was a more important committee than it is now because we handled all legislation. In other words, if a bill would come to us and was killed by our committee, that would be the end of the constitutional amendment. Now they've changed it so the constitutional amendment has to go to another committee.

SENEY: Well, I knew it was a more important committee then, and it was one your dad chaired.

MARKS: Right.

SENEY: And that must have been kind of a--

MARKS: It was good.

SENEY: Did you ask for it?

MARKS: No, I don't think I asked for it.

SENEY: But there wasn't any kind of *quid pro quo* on this.

MARKS: No, I don't think so.

SENEY: It was just reward for -- and it would be a reward. I mean, if I've got committee chairmanships to hand out--

MARKS: I was the lead chairman of a committee as a sophomore.

SENEY: But I mean, it would be a reward. If I were handing out committees, or if you were, you're going to give them to people who vote your way and see things they way you do.

MARKS: That's true.

SENEY: I mean, there's no big surprise here. So you must have been pretty excited.

MARKS: I was.

SENEY: That must have been a nice plum. Do you remember when Unruh told you about it?

MARKS: He just told me it was important.

SENEY: Did he say anything to you -- "Now listen, this is how I want you to handle this"? Did he give you any instructions?

MARKS: No. He never gave me any instructions on anything. He never instructed me because I probably was in accord with him anyway. But he never told me how to vote on anything.

SENEY: Anything ever come up in front of the committee that you went and checked with him on just to make sure that you were on the same page so to speak?

MARKS: It was so many years ago I can't remember.

SENEY: Sure, I know, it's been a long time. I mean, it would make sense to me, if you're the speaker and I'm one of your appointees as committee chair and most of the things I'm going to know what to do on, but if something's a kind of thorny issue and I know what it is--

MARKS: I probably did.

SENEY: --I would raise it with you, I would think.

MARKS: Probably did. I would talk to him quite frequently.

SENEY: Tell me about service on that committee -- about chairing that committee. I know that there were a number of issues here.

MARKS: I'm not even sure who the members of it were.

SENEY: There were a couple of constitutional amendments that were important.

You know, one of the hearings that stuck out in my mind had to do with something I asked you about earlier, and that is this sort of communism business. Here it is. There was a hearing before your committee in 1962 -- January of 1962 -- taking testimony on an amendment that was put in by [Assemblyman Louis] Lou Francis.

MARKS: He was terrible.

SENEY: You're shaking your head and smiling. What do you mean? He was from San Mateo, if I recall correctly.

MARKS: He had an amendment to wipe out the Communist party.

SENEY: Well, this was an amendment which would have barred Communists or other subversives from the public payroll, in this particular case. And so you felt it necessary to hold hearings on this, I guess. I mean, you couldn't -- because there must have been things you didn't hold hearings on. Do you recall this one at all?

MARKS: I remember it sort of.

SENEY: Let me talk a little bit about it and maybe it'll come a little more into your mind.

There were two people who testified. One was Carl Prussian who was described as a former Communist and FBI counterspy who testified. And then the other -- there were two other people who testified: a former admiral, Edward S. Carmac, who was now an engineering professor at San Jose State [College]; and the other person was a graduate student at Berkeley. They made a lot of allegations about communism. Carl Prussian alleged that there was a member of the Legislature who was a Communist, although he refused to name him. The former admiral said that there were at least 150 college professors that have subversive affiliations. And then the graduate student claimed that there were all

kinds of people at Berkeley who were Communists. I mean, they were just everywhere. Do you remember the hearing?

MARKS: I vaguely do.

SENEY: And then you also had testifying -- and I thought this was very interesting -- you had Albert Lema come who was the Northern California chair of the Communist Party, and someone whose name I know very well, Dorothy Heely. Remember her? She was the Southern California Communist Party chair. Do you remember that at all?

MARKS: I vaguely recall it. I remember the testimony somewhat. I remember the efforts being made -- that Francis was trying to do to try to bar Communists from serving as public officials. I don't think I was for it because I think it went too far.

SENEY: Well, the sort of anti-Communist hysteria had come to an end by 1962, hadn't it, and this is a little late really on it, although you again clearly felt it was necessary that you needed to hold a hearing on this and let this up.

MARKS: Right. Right.

SENEY: And I thought it was very interesting that Lema and Heely appeared at this hearing as the Northern and Southern California heads of the Communist Party. Do you recall how that came about at all?

MARKS: No.

SENEY: Because I think if this had been held ten years before in 1952, which, as

you remember, there was so much anti-Communist hysteria in the early '50s, I don't think these two people would have been invited to come to a legislative hearing.

MARKS: Probably not.

SENEY: To me, that was a sign that the times had changed, that they were very different times and so forth.

What do you remember about serving on that committee?

MARKS: I don't remember too much about it. I think we had a lot of issues that were important to us -- many issues that were important to us -- and we had a great responsibility to try to either kill the constitutional amendment or let it go through. That I remember very well.

SENEY: Well, you know, there was one issue that maybe you'll remember if I mention it to you, and that is that there was an amendment before the committee to put on the ballot an amendment which would have given a bigger share of votes to the metropolitan areas in the State Senate. Do you remember that one? That was before Baker v. Carr[1] and so forth.

MARKS: I don't think it got anywhere.

SENEY: No. I mean, I think Senator [Hugh M.] Burns or someone in the Senate said, "This won't go anyplace, this is dead," you know, that it'd never get through the Senate, which of course, in those days, was apportioned

---

[1] 369 U.S. 186 (1962).

differently. But you all voted 7-2 in favor of it out of your committee.[1]

And then there was another issue, that there were a number of press clippings about, and this was to legalize bingo.[2] Do you remember that amendment? You heard it, and then I'm not sure what exactly you did on it, but if you remember, the police had begun to crack down on the church bingo games and the VFW [Veterans of Foreign Wars] bingo games and so forth, and you know, they'd sort of overlooked them. You know, the Catholic church would always have bingo nights.

MARKS: They were very important.

SENEY: Yes, a very important fundraiser, and other people had begun to do it as well. And then there began to be a crackdown on it and there was this move to legalize it. That was another issue that came before your committee.

MARKS: How'd I vote on that?

SENEY: It doesn't say how you voted, but I expect you probably voted in favor, don't you think?

MARKS: Probably. Because I was in favor of bingo.

SENEY: Right. I mean, I think it was regarded then as kind of a harmless diversion and a nice evening out for people and a fundraiser for the Catholic church

---

[1] San Francisco Examiner, 3/22/62, p.6.

[2] San Francisco Examiner, 4/11/63, p.3.

and for some of the other charities, and certainly it was not particularly abused in any way. And the police had kind of taken it upon themselves -- everybody sort of winked at this, you know, they just "Well, we're not going to pay any attention to it."

Let me ask you about the 1962 election. In that case, Nixon was running for governor. Did you support him for governor in '62?

MARKS: Possibly. I really don't know. Who was he running against?

SENEY: Well, he ran against Pat Brown.

MARKS: I don't think so.

SENEY: You probably voted for Pat Brown, don't you think?

MARKS: Probably.

SENEY: And I remember that as a kind of -- I don't want to say typically Nixon campaign but that's kind of what it was.

MARKS: It was a terrible campaign.

SENEY: It was kind of vicious, and Nixon, if you recall, was roundly rejected by the voters. Brown was overwhelmingly reelected. And I don't know if it was so much a vote for Brown or against Nixon, however it might have come out in that case.

Who did you run against in '62? Oh, let me tell you. You ran against Beeman -- Josiah Beeman.

MARKS: Oh, yes; I remember him.

SENEY: Now, he was another one of Phil Burton's people, wasn't he?

MARKS: They were all of Burton's.

SENEY: Well, you know, you'd think he'd learned by this time, because by now you get 36,348 votes. Beeman gets 16,710.

MARKS: I beat Beeman in every precinct.

SENEY: Well, you didn't just beat him, you shellacked him! You beat him by 20,000 votes.

MARKS: I know. He was not a good candidate.

SENEY: Do you remember that campaign particularly?

MARKS: I remember it somewhat. I remember running against him. I remember he was sort of fat.

SENEY: Well, you know, he was appointed to the board of supervisors by Mayor Shelley.

MARKS: I know.

SENEY: Then defeated. And your helpful staff, who gave me this information, pointed out to me, he's now our ambassador to New Zealand. Did you know that?

MARKS: Yeah.

SENEY: And so he's landed on his feet, through appointment in any case. But that was not a very tough campaign?

MARKS: No, it was a very easy campaign. I think I carried every precinct that I ran

against him. Every one.

SENEY: Is that right? That must have been a good feeling.

MARKS: It was.

SENEY: But I take it you don't take any of these for granted. You're still out there ringing doorbells and going to meetings.

MARKS: No, the district was only 17 percent Republican and we realized how low that is. Nobody could ever carry on a campaign against a 17 percent district. That's why Democrats ran somebody against me all the time.

SENEY: They really thought they could knock you off.

MARKS: Seventeen percent.

SENEY: Even though your vote total keeps going up.

MARKS: But they were convinced they were going to beat me.

SENEY: They're just looking at those registration figures.

MARKS: That's right.

SENEY: Do they not realize that you're pretty much campaigning all the time?

MARKS: I think they did.

SENEY: I mean, you're constantly out still, as you said.

MARKS: I never stopped.

SENEY: That's very useful with your running for office, to be out there all the time. Is it not?

MARKS: I'm everywhere.

SENEY: That makes you very hard to beat, even though the Democrats didn't realize that.

You know, Joe Shell ran, as we said earlier, against Nixon for the nomination and, of course, was beaten, and that means he's out of the Assembly and you're going to have a new Republican leader coming in. Do you remember who that was? And I must say, I don't have that in my notes who was elected Republican leader after--

MARKS: Bob Monagan?

SENEY: It was Monagan. Do you remember that at all?

MARKS: I remember Monagan, and being for Monagan.

SENEY: Because he was a more moderate kind of guy.

MARKS: Not too, a little bit.

SENEY: More so than Shell certainly. Less partisan.

MARKS: Right. I see Shell once in a while.

SENEY: Is he still around?

MARKS: He was around a couple of years ago. I'm not sure he's around now.

SENEY: I know Bob Monagan is still around.

MARKS: Yeah, he's around.

SENEY: And still active in political things.

MARKS: Right.

SENEY: Kind of reform efforts of one kind or another. Do you remember anything

in particular from that third term in the Assembly?

MARKS: Probably if you told me some of the bills we did I could.

SENEY: You know, one of the things that was important during that was the debate over pay TV versus free TV so called. Do you remember that? It was a big debate on sort of whether or not we're going to have cable television and all that sort of thing.

MARKS: I think it was helpful.

SENEY: Otherwise, there weren't a lot of -- it didn't seem to me at any rate -- a lot of issues.

You know, one of the things I did mean to ask you about was that the district that you represented, the 21st District, had been represented by not only Weinberger, who was generally regarded as a pretty capable Assemblyman, but someone who preceded him by a number of years and that was [Assemblyman] Jefferson [E.] Peyser. Did you know him?

MARKS: Very well. My father was his manager when he first ran for supervisor.

SENEY: You know, I think Jefferson Peyser, probably outside of Sacramento political circles, is not well known but he was a very influential man.

MARKS: A great lobbyist.

SENEY: Yes. He became the lobbyist for the wine industry, and after prohibition essentially wrote the liquor laws for California.

MARKS: That's right. He was very, very influential.

SENEY: Talk about him a little bit.

MARKS: I liked Jeff Peyser. He was a very able lobbyist. I knew him better as a lobbyist than as a legislator. He constantly would come before committees and come before me to talk about bills that he was concerned with. He was Jewish also. So I had some relationship with him in that.

SENEY: Well, you know, that's kind of interesting because in that particular district there were a number of people who were very good legislators, and I think, if I read the names right -- and Peyser is not an identifiably Jewish name; I mean, I wouldn't guess that Mr. Peyser was Jewish -- but [Assemblyman] Albert [A.] Rosenshine was one of your predecessors and I would think he was Jewish from his name, and also [Assemblyman] Albert [C.] Wollenberg was one of your predecessors who again I would think would be Jewish given his name. And then [Assemblyman] B. J. Feigenbaum had also represented the 21st.

MARKS: You're going back a long ways.

SENEY: Yes, right. Well, Peyser goes back to the '30s. And then Weinberger, who I think is not Jewish.

MARKS: Weinberger claims he's not Jewish.

SENEY: But he is maybe.

MARKS: Well, his father was Jewish, his mother wasn't.

SENEY: Oh, I see. Okay.

MARKS: He became Episcopalian.

SENEY: He's an Episcopalian. But under certain Jewish rules, the religion goes through the mother, doesn't it, rather than the father, so I suppose that's arguable. But this was a very -- according to the newspaper articles, this was a very impressive group of Assemblymen.

MARKS: Right. It was a very good group.

SENEY: And you said when you were elected that "I've got big shoes to fill here, and I'm going to work real hard to do that."

MARKS: That's right.

SENEY: Well, listen, we're about out of tape and why don't we stop now.

MARKS: All right, we'll stop.

SENEY: Okay, good.

Session 3, January 24, 1996

[Begin Tape 4, Side A]

SENEY: Good afternoon, Senator.

MARKS: Good afternoon.

SENEY: There were a couple of things I should have asked you about from the sort of 1958 to '62 period. One was a bill that you introduced in 1961 -- AB 818[1] -- which I thought was kind of interesting. Apparently, Governor Brown had put on a 3-cent-a-pack tobacco tax in his 1959 budget, and in 1961 you put on a bill that would have called this a consumer tax and that would have made it deductible -- did make it deductible on the federal income tax, and I guess at first you had it deductible on the state income tax and that got amended out because the Administration opposed it. You know, today the climate about smoking is so different. Would you introduce a bill like this today?

MARKS: Sure.

SENEY: What was your thinking in terms of that bill?

MARKS: I wanted to take a tax deduction on cigarette smoking if you wanted to do so. I felt it was a regular expense to people, they should be entitled to take a deduction.

SENEY: This would have, I think, saved smokers -- the estimate was about $9

---

[1] A.B. 818 1961 Reg. Sess., Cal. Stat., ch. 2193.

bill.

SENEY: I take it he must have brought this up in one of your long conversations that he'd like you to do that.

MARKS: Right.

SENEY: Did you carry legislation for him frequently?

MARKS: Yes, quite frequently.

SENEY: Besides this bill, do you remember any others that you carried for him?

MARKS: Well, I opposed a bill that he had one time.

SENEY: Well, I guess that's not quite the same thing.

MARKS: He had a bill that he wanted to move the Supreme Court out of San Francisco.[1] I opposed that bill very much.

SENEY: He wanted it to come here to Sacramento.

MARKS: Yes. I opposed the bill.

SENEY: And you won.

MARKS: I won.

SENEY: And he lost. Why did he want it here?

MARKS: I guess he wanted everything centralized in the state capital.

SENEY: What did the Supreme Court justices think of that? Did you talk to them about it?

MARKS: They weren't for it.

---

[1] A.B. 6 1963 Reg. Sess.

SENEY: So you were in contact with them and knew what their views were on this.

MARKS: Right.

SENEY: They would prefer to live in San Francisco than in Sacramento.

MARKS: Right.

SENEY: And of course, the Supreme Court is still in San Francisco.

MARKS: It's still there.

SENEY: And I know that was a fair political squabble, wasn't it?

MARKS: He put a bill in; I opposed it.

SENEY: Well, he not only put the bill in, he fought hard for it, didn't he?

MARKS: Yes, he did.

SENEY: Was it hard to kill that one?

MARKS: Sure.

SENEY: Do you remember what you did to do that?

MARKS: I just spoke against it. We killed it in committee.

SENEY: Well, I remember that at the same time he wanted to move the Supreme Court this way, he also wanted to move the Department of Health, which was then in Berkeley and has now been moved over here.

MARKS: That's right.

SENEY: So he wanted to do both of those things, and I guess you must have worked in conjunction with the senators and representatives over there in the East Bay.

MARKS: Yeah, I wasn't too enthusiastic about that one either but I was willing to accede to that one.

SENEY: How did you kill it in committee? How does that work?

MARKS: Just get enough votes. You can kill anything if you can get enough votes to kill it in committee.

SENEY: And that's the easiest place to kill something, isn't it, because you need the fewest votes to kill something in committee.

MARKS: Right.

SENEY: I guess that's the point at which your relationship with your committee colleagues and your other colleagues comes into play.

MARKS: It does.

SENEY: And "What you've done for me in the past and what I may do for you in the future" becomes an issue.

MARKS: Right.

SENEY: Do you remember any of the kind of horse trading that went on over that?

MARKS: No. I remember I issued a statement that I was very much opposed to the transfer, that San Francisco was a good location for the Supreme Court, that it was a good central location for the court to be in and that there were a number of people there in San Francisco who participated in the Supreme Court's decisions, and that I was very much opposed to it.

SENEY: And at this point the Supreme Court would actually go sit in Los Angeles

sometimes too, wouldn't it?

MARKS: It did. I didn't object to that.

SENEY: Right. It's home base was San Francisco but it would sit--

MARKS: That's right. I don't mind if it'd come to Sacramento occasionally too.

SENEY: But this bill would have meant all of its business would have been transacted in Sacramento.

MARKS: Right.

SENEY: So you must have gotten some help from the L.A. people on this, I would think too. The legal community down there would want it there.

MARKS: I did.

SENEY: So that they could make their arguments in their home turf and whatnot. And then you also introduced a bill to eliminate politically appointed state tax inheritance appraisers.[1] Do you remember that one?

MARKS: Yeah. That was a difficult one.

SENEY: It didn't get through, did it?

MARKS: No. That was a very hard bill.

SENEY: These inheritance tax appraisers -- and they're still around, aren't they?

MARKS: They are.

SENEY: Am I right in thinking that this is one of the few kind of patronage plums that's available?

---

[1] Unable to verify

MARKS: Controller has that.

SENEY: Right. I mean, at the state level that this would--

MARKS: Right, right.

SENEY: I understand, for example, that Speaker Willie Brown's son is at this point--

MARKS: I think he is. Can make a lot of money.

SENEY: Yeah, without a lot of work, as some people say.

MARKS: Well, they have to do some work.

SENEY: But it is lucrative.

MARKS: Yes, it is.

SENEY: Legal. I mean, no one's saying it isn't legal; it just could be done in another way.

I also wanted to ask you about the 1964 election -- we talked a little bit about it -- but I wanted to ask you about your stand on Proposition 14[1], the Rumford Fair Housing Act.

MARKS: That was the year I was running for office and I very much opposed Proposition 14, even though I was running for office. And my district, I think, went for Proposition 14.

SENEY: Yes, it did. San Francisco went for it.

---

[1] Proposition 14, November 3, 1964

MARKS: But I was very much opposed to it because I was one of the authors of the Rumford Act. [Assemblyman William] Byron Rumford was a very good friend of mine. He was the chair of the Health Committee which I was a member. He was a very fine man.

SENEY: Black man.

MARKS: Black man, over from Oakland. So I opposed the Rumford Act [referendum]. I went all up and down the state of California opposing it because I thought that it was disgraceful for the Real Estate Commission to try to impose the Rumford Act. They're the ones that put on Proposition 14. I thought they were wrong.

SENEY: And basically the Rumford Act forbid discrimination based on race in either the rental or sale of housing.

MARKS: Right. I felt that anybody who could afford to buy a home should be able to live anywhere they wanted.

SENEY: I think it was defeated by 54 percent against -- or in favor of Prop. 14 which nullified it in San Francisco. I mean, in the other parts of the state I think it went 68 percent overall[1], if I remember the figure right. I mean, it was overwhelmingly approved, which is to say that the Fair Housing Act

---

[1] The vote in favor of Proposition 14 was 4,526,460 (65.4%); those voting against were 2,395,747 (34.6%). *A Study of California Ballot Measures: 1884 to 1992.* Compiled by March Fong Eu, California Secretary of State, Sacramento, California. January, 1993.

was defeated the way the referendum works. Were you surprised that it carried in San Francisco?

MARKS: Yes, I was. I took a great risk when I was running for office, because I was running for office at the same time, but I was glad I did.

SENEY: Well, you know, I'm looking here now at your 1964 election results. Do you remember how well you did in '64?

MARKS: No.

SENEY: You did very well, Senator.

MARKS: Who'd I run against?

SENEY: You ran against John J. David.

MARKS: I saw him recently.

SENEY: Did you?

MARKS: He's up here in Sacramento, I believe.

SENEY: Well, I don't know, maybe you can't do anything wrong in the 21st District, Senator, because in 1962 you beat Bieman -- and I mentioned this before but let me say it again -- you beat him by just a shade under 20,000 votes -- 36,000, rounded off, to 16,000, rounded off. Now, two years later, and you've embraced this controversial measure that your district goes against, and you get 44,373 votes. Mr. David get 17,600 votes. So your majority climbed -- I mean, by what? You're almost 20,000 votes out ahead now. Or, I'm sorry, 30,000. You won by 20,000 the time before,

this time you won by 26,000 or 27,000 votes.

Was David a good candidate, do you think, a strong candidate?

MARKS: Not too. He's a lawyer, I believe.

SENEY: But they were still coming after you, the Democrats.

MARKS: Every year they would find somebody to run against me.

SENEY: You know, let me ask you, during this period you're in the Assembly -- I mean, even though you may have belonged in the Democratic Party -- I mean, you suggested that yourself, that that may have been the place -- was it easier for you to win the Republican primary than it would have been to win the Democratic primary, do you think? I mean, would that be an argument in your mind? Did you ever think of it that way in terms of staying in the Republican Party at that period?

MARKS: I can't really tell. I think it was difficult for me to change parties because I would hurt the feelings of a lot of people. I felt that it would be difficult for me to change. I never paid attention to whether I was a Republican or a Democrat; I just voted the way I thought was right.

SENEY: If one's looking at it from the outside -- I mean, here you're doing better every election, in the general election you're doing better. The Burton people, they're putting people up against you.

MARKS: Everyone.

SENEY: Here comes Moscone, here comes Bieman, here comes David from the

Burton machine. They might conceivably have beat you if you had run as a Democrat, do you think, in the primary.

MARKS: Possibly. I might not have gotten the nomination.

SENEY: So if you're thinking about what is your electoral strategy, this really made sense to stay in the Republican Party and win the Republican primary and beat them in the general election, you think?

MARKS: It did make sense, but of course, I was not really much of a Republican. I found myself getting more Democratic as time went on. The Republican Party had gotten so reactionary.

SENEY: Have you read Jim Mills' book[1], former Senator Mills' book on the legislature?

MARKS: I was his seatmate.

SENEY: Oh, you were his seatmate.

MARKS: That's right.

SENEY: What did you think of the book?

MARKS: Very good. Very well done.

SENEY: From the other interviews I've done, I thought it really captured the flavor of the Legislature in those days. And as you know, most of the Members came and lived here, and I take it you did too. You didn't commute back

---

[1] James R. Mills, A Disorderly House: the Brown-Unruh Years in Sacramento. Heyday Books (Berkeley, CA.) 1987.

and forth, did you?

MARKS: Not too much.

SENEY: So you lived here during the session?

MARKS: I came home on weekends.

SENEY: You would go home, as you do now.

MARKS: Right.

SENEY: And that's been your practice. So you would have rented then an apartment probably as you do know.

MARKS: I lived in a motel.

SENEY: Maybe other legislators lived in that same motel.

MARKS: Right. The El Rancho motel.

SENEY: It's mentioned in the book, isn't it? In Mills' book.

MARKS: Right.

SENEY: You're kind of smiling. You're starting to smile as I bring this up.

MARKS: No, it was a nice place.

SENEY: Oh, I know it was. I'm just thinking though in terms of the difference in the Legislature, because Mills stresses, and others have stressed too, that the fact that you were here, most often without your families because the sessions were not long, and that you were at the El Rancho motel -- I guess some of them shared apartments, others shared apartments, and frequently across party lines.

MARKS: I found the situation in the Legislature, when I first started, easier. It wasn't as partisan.

SENEY: That's what I want you to talk about.

MARKS: We were friends with the Republicans, the Democrats. We went out socially a lot together. We were here for relatively shorter periods of time. We weren't the full staff we have now. I think it was better.

SENEY: Do you remember the El Mirador?

MARKS: Yeah, sure.

SENEY: Hanging out at the El Mirador and hoisting a few in the evenings?

MARKS: I stayed at the El Mirador and I stayed at the Senator Hotel one time, one year.

SENEY: And then there was a couple of restaurants that used to be important social gathering places.

MARKS: There was a place over here where Brannons is now. I can't think of the name of it.

SENEY: That wasn't the Torch Club, was it?

MARKS: No. The Torch Club I know too. But there was another place over here that we used to go all the time to the bar and drink there all the time. I remember being with Unruh. He put down a $5 bill and somebody gave it back to him, and he said, "That's the same $5 I've had when I came here ten years ago."

SENEY: In other words, somebody was buying his drinks for him.

MARKS: That's right.

SENEY: You think that was better, that kind of atmosphere?

MARKS: Yeah, it was friendlier because you'd see more people. You'd spend more time with people. You had a lot of organizations. A lot of people would have lunches. The "Moose Milk" was a big thing.

SENEY: Did you attend that?

MARKS: Yes, all the time.

SENEY: That was put on by the lobbyists, wasn't it?

MARKS: The lobbyists -- but you never could discuss a bill.

SENEY: I understand that was the unwritten rule of the "Moose Milk."

MARKS: Never discuss a bill. You go there, and if you wanted to talk to lobbyists you could, but you didn't have to.

SENEY: Well, I remember before 1974 and Proposition 6[1] passed, when those days -- and I'm sure this was what was going on with Unruh and his ten-year-old $5 bill, was that some lobbyists were buying all the drinks that night. They would take turns, wouldn't they?

MARKS: That's right.

SENEY: So if you went into the Torch Club, or whatever it was, the drinks were essentially free.

---

[1] June 4, 1974.

MARKS: Right.

SENEY: You now, there's a story about the Texas Legislature. Let me just briefly tell you this to get you to comment on this. Apparently the railroad lobby down in Texas, which is very powerful, used to put on a big buffet lunch, a free lunch, every day for the legislators, and one day they decided they didn't want to put that lunch on any more after a number of years and they tried to stop it. And the legislators, by this time, had gotten to feel that they pretty much had a right to that free lunch and the railroad lobby got themselves in big trouble and had to put the lunch back on again. In other words, it was no longer doing them any good to put the lunch on, but if they took the lunch away it would have hurt them pretty bad. Was that kind of the way the drinks situation was with the lobbyists, do you think?

MARKS: I don't think the drinks -- I just happen to remember this one occasion. I'm not sure he did it all the time. I just remember being at the bar with him. I think that the lobbyists basically did a good job. I don't think we were influenced by the lobbyists. I think anybody who would sell themselves out for $10 is ridiculous. I've never had a lobbyist try to influence me. I had one one time who tried to influence me on a bill. I threw him out of the house, the office.

SENEY: What did he try to do?

MARKS: He tried to give me some money on a bill. I threw him out.

SENEY: Very clearly, I mean, what he was up to.

MARKS: Yeah.

SENEY: You know, my understanding is that the situation I've described to you did kind of go on; that is, that the drinks were free and everybody kind of knew whose turn it was that night to pick up the tab. And while to the public that might look kind of questionable, some people say what's more questionable now is the kind of campaign contributions, which are legal, above-board but are maybe likely, in some cases -- and I'm not talking about you in particular here -- but in some cases to influence a Member's judgment.

MARKS: Well, I think campaign contributions are ridiculous; they're way too high. Campaign costs are way too high. I'd like to make it retroactive; cut it down a little bit.

SENEY: Well, it certainly is in terms of the money spent on campaigns, as we talked this morning, has just gotten astronomical.

MARKS: It's terrible.

SENEY: Let me ask you some more questions about 1964. First of all, the Republican National Convention was held here in '64 in San Francisco.

MARKS: I was a delegate -- a Rockefeller delegate.

SENEY: I was going to ask you about that.

MARKS: We didn't win the campaign.

SENEY: You did attend. Well, there's a very nice long letter from Governor Rockefeller -- one to Mrs. Marks and one to you.

MARKS: That's because I was very devoted to him.

SENEY: Tell me how you got to know him and why you supported him and what you did for him.

MARKS: I was a liberal Republican and there were about three or four of us who became the leaders of the Republican -- the leadership of the party to try to help Rockefeller. Three or four of us went up and down the state of California. [Assemblyman William T.] Bill Bagley was one, Jack McCarthy was another, Houston Flournoy was another. I forget who the others were. But we carried the whole campaign for him because he didn't come out to California very often. We carried the whole campaign up and down the state of California.

SENEY: How did you get involved with him? Did you contact him? Did his people contact you? Do you remember how that happened?

MARKS: I think he contacted me. I remember when we had a big meeting out here where we participated in the thing and he told us he wanted us to represent him, and we did up and down the state of California. We went everywhere. Went to Orange County. I remember I went to Orange County and represented him and the people picketed me, and I was told by the newspaper that I never should come back to Orange County.

SENEY: Well, that would have been the heart of Goldwater country, of course.

MARKS: That's right.

SENEY: So you and Assemblyman Bagley at the time and Senator McCarthy -- and I guess Flournoy was still in the Assembly at that point, wasn't he -- you all, what, split up the speaking duties?

MARKS: I went along with Jack McCarthy to different areas of California. We would appear at headquarters, the Republican headquarters, right outside the headquarters and have a press conference right there and we would denounce Goldwater very much. And when Goldwater was nominated, our views did not support him. I never supported him.

SENEY: You never cast your vote. When they called for it to be unanimous you didn't go along.

MARKS: I didn't do it. I said, "Well, how can we be so much against Goldwater and be for him after he got the nomination?"

SENEY: And I take it you held these in front of the official Republican headquarters because the party itself was pretty much in Goldwater hands.

MARKS: Right.

SENEY: You know, one of the letters in the files you let me see was from Senator McCarthy to you and he was the head of a committee of Republicans against Proposition 14 that we spoke about a few minutes ago, against the Rumford Act. Did you take part in that committee at all?

MARKS: I did, very active.

SENEY: So you were the liberal wing, you and Senator McCarthy and whatnot.

MARKS: That's right. I was more liberal than he was.

SENEY: Well, he sounded pretty liberal, I mean, with no on 14. That was a pretty gutsy stand, wasn't it?

MARKS: Pretty good.

SENEY: I would think that opposing Proposition 14 was, as I say, a pretty gutsy stand in those days.

MARKS: It was.

SENEY: Did you feel heat from that in the '64 campaign?

MARKS: Well, somewhat. Some people were for Proposition 14. They opposed me, some people that were concerned about it, but I never felt it was an issue. I felt it was an issue but I felt I was doing the right thing.

SENEY: I would think normally in your district, and the materials, again, you let me look at, indicates that you were normally endorsed by the realtors in your district when you ran.

MARKS: I got the first endorsement of the realtors. The first one.

SENEY: But not in 1964 probably.

MARKS: Probably not.

SENEY: Or at least if they did they must have expressed their unhappiness with your position, I would think. Because that was a very emotional issue.

MARKS: It was a very emotional issue. It was a tough issue, and I went to a lot of debates, made a lot of talks.

SENEY: So in the '64 presidential campaign you never did support Barry Goldwater then.

MARKS: Never did.

SENEY: Vote for Lyndon Johnson, you think?

MARKS: Probably. But I just said, "I cannot be for Goldwater when I spent all my time denouncing him. I cannot see how you Republicans can be for Goldwater because he got the nomination," and so I didn't. I don't think he's as bad as I thought he was then.

SENEY Do you remember your legislative term, the fourth legislative term in 1965?

MARKS: Who'd I run against then?

SENEY: We're through the election already. That's when you trounced Mr. David, but then you begin your term in the Legislature. Is there anything there that stands out to you in 1965 as you began?

MARKS: Well, that was the year we had reapportionment.

SENEY: Right.

MARKS: And I remember that very well.

SENEY: Talk about that a little.

MARKS: It seemed to me that we were about to lose a seat in San Francisco and it

was going to be my seat because I was a Republican, and I tried my very best to stop it but I couldn't.

SENEY: Well, this was a court-ordered reapportionment, wasn't it?

MARKS: Yes, it was.

SENEY: Now, the Senate had to be reapportioned.

MARKS: And the Assembly too.

SENEY: Right.

MARKS: One man, one vote came out.

SENEY: Right. There was some fair amount of reapportionment in the Assembly--

[end of tape]

[Begin Tape 4, Side B]

SENEY: I missed a little of what we were just saying, which is about the 1965 reapportionment, and you were saying you knew that San Francisco would lose a seat.

MARKS: I was quite sure it was going to be mine.

SENEY: You were absolutely convinced it would be yours, right?

MARKS: Yeah, sure. Then Governor Brown told me he was going to appoint me a judge. He volunteered; I didn't ask him. He volunteered to appoint me judge and told me at a meeting that he was going to appoint me a judge. He was going to appoint me later on after the budget was adopted and that

he would pay no attention to how I voted on anything.

SENEY: Did you believe that?

MARKS: Yeah, I did. Because if I voted against him, he would still support me. In fact, one of his members of his staff talked to me about a bill and he gave them hell for talking to me about a bill, trying to convince me to vote on a bill.

SENEY: Thinking maybe that this judgeship was hanging over the vote.

MARKS: That's right. I think he made the announcement in February or some time in March. I didn't get it until about September or October. I didn't want to leave. He finally called me up one day and he said, "Do you want the judgeship or not?" I said, "Yes, I do." I went over to his office at the Governor's Mansion with my wife and two children. I've think you've seen--

SENEY: I've seen the picture, yeah.

MARKS: They're little kids. They were little kids. They have three kids now. And he gave me the form.

SENEY: The appointment form?

MARKS: Right.

SENEY: One thing I wanted to make sure we mentioned was the Senate was forced to be reapportioned because, of course, it was way out of whack, given the old federal plan. But the Assembly was too, and I started to mention an

example of that, that the 74th Assembly District in Imperial County had, I think, 84,000 voters and right next door the 75th, which was in San Bernardino and Riverside, had 306,000 in it. So I mean, there was a need to reapportion.

MARKS: There was a need to reapportion.

SENEY: Right. On the one man, one vote basis. You said you tried to forestall the reapportionment. What did you do?

MARKS: Well, I tried to talk to Burton and tried to convince him that I should stay here, and he said to me, "You can't."

SENEY: Just "You can't."

MARKS: "Because we need to lose one seat and yours has to be the seat."

SENEY: They could have drawn four seats. One would have been yours and three would have been Democrats.

MARKS: They could have.

SENEY: You know, one of the things in the files that you let me look at were maps of the districts, and prior to this 1965 reapportionment the districts tend to run east to west, yours being the kind of top slice, taking in Sea cliff and the Richmond, Pacific Heights, Jordan Park where your home is located, and over -- I'm not sure where the cutoff was -- over through Lombard and whatnot, along that area, and so they tended to run east and west. And then when the new plan comes out they run north and south, and you

ended up in [Assemblyman] John [F.] Foran's district.

MARKS: That's right. I at one time said I was going to run against him but I decided not to.

SENEY: Well, that would have been a tough election, wouldn't it?

MARKS: Very tough.

SENEY: Because the way, as I studied those maps, when you start out with the new four districts, there was a little bit of yours in every district. And again, if we're looking at San Francisco and we're looking up towards Golden Gate Bridge at the top, the districts now run north to south. On the left-hand side, along the ocean is Charlie Meyers' district, running all the way from the top to the bottom down into Daly City. Next to that is John Foran's district. Then kind of coming around the top is [Assemblyman] John [L.] Burton's district, and a square in the middle is Willie Brown's district. Remember that map?

MARKS: Right.

SENEY: So you were in big trouble.

MARKS: I just couldn't run.

SENEY: No. If you'd stayed at your 55 Jordan address, where you've lived such a long time now, you were in John Foran's district and would have had no more than, what? Maybe 15 percent of your old district?

MARKS: Very little.

SENEY: If you had moved over a little bit into Charlie Meyers' district, you would have had maybe a little bit more of your old district but not much. Willie Brown's district was out of the question.

MARKS: That's right.

SENEY: It was just a little corner and you had just a little bit in Burton's district. It was a nice piece of work.

MARKS: It was well done.

SENEY: It was. But apparently it took them a long time, the four Democrats a long time to come to a meeting of the minds over who should get which part of your district essentially, because you ended up diluting them all a little bit.

MARKS: Right.

SENEY: I mean, I think Foran went from having roughly 70 percent Democrats to having 63 percent and Willie Brown dropped a couple of percentage points, Burton did, and so did Meyers.

I'm only mentioning this detail because I think it needs to be here, but I think it's also a kind of classic example of how one party who controls the redistricting process when a seat has to be collapsed, as yours needed to be collapsed, can then distribute that seat in such a way that the Republican seat's gone.

MARKS: I don't think there were any hearings on the bill at all. I don't think the bill was ever taken up on the Floor. I think it was amended on the Floor

and just taken up on the Floor. I voted "no" but it didn't do any good.

SENEY: Now, one of the things that was passed was some retirement legislation, that if a member was redistricted out and left before February 3, 1966, that then they were subject to receiving retirement benefits immediately.[1] And I take it you were covered by that legislation.

MARKS: I think I was.

SENEY: Did you go ahead and receive those? I mean, they were legal.

MARKS: I think I did.

SENEY: I mean, you had every right to receive them; it was part of the law. And I expect that was one of the things that's kind of done under these circumstances to sweeten it a little bit.

MARKS: It wasn't too sweet.

SENEY: How did you feel about that?

MARKS: I felt I'd been a good legislator. I didn't see why I should leave but I understood the problem. The problem was you had to get rid of one seat and the logical one to get rid of was mine.

SENEY: What was your reaction? I mean, you knew by the time Governor Brown said to you, "Would you like to be a judge" -- a municipal court judge -- you knew by then this was going to happen. Right?

MARKS: I did.

---

[1] S.B. 656 1965 Reg. Sess., Cal. Stats., Ch. 1237.

SENEY: What was your reaction to that judgeship?

MARKS: I was very pleased to get it. I didn't know that I wanted to be a judge but I felt that I'd be a good judge.

SENEY: That's what I wanted to ask you about, if you'd ever had any ambition to be a judge; I think lawyers often do, you know. You know the old story that they'd like to be judges, a lot of lawyers. Did you have that ambition ever?

MARKS: I really didn't. I wanted to be in the Legislature, but I felt that if I couldn't be in the Legislature I should be a judge.

SENEY: What happened when you started judging? Tell me about that.

MARKS: Well, the judgeship was very difficult because I was put in there, I had some legal training but not too much. So I just went into the judgeship immediately without any training. There was no training at all. At least there wasn't then.

SENEY: There is now.

MARKS: There now is but there wasn't then at all. I had a reporter and a clerk. That's all I had. I couldn't write letters. Once in a while my reporter would write a letter for me -- once in a great while. But I had a lot of letters to do. It was a difficult thing because I remember I was transferred suddenly to the Hall of Justice and they said, "We want you to fill in for four or five days in the Hall of Justice, in the Criminal Department." I was

there for six months.

SENEY: Did you ever have a criminal practice when you were an attorney?

MARKS: No.

SENEY: So you'd never done this before.

MARKS: No.

SENEY: I mean, here you've got your robe on, right? They're calling you judge, you're sitting up there on the bench. If it were me I think I would be petrified.

MARKS: It was very difficult. Part of the process was I had to decide upon traffic tags and I had no idea what the traffic tag should be. I mean, the traffic tags were $10 or $50. I had to decide whether it was $3 or $2.

SENEY: So you had to decide what the fine would be on these.

MARKS: Right. And I had about 50 cases every day.

SENEY: Was there no statutory guidance?

MARKS: No.

SENEY: It was what you thought was fair.

MARKS: That's right.

SENEY: How did you decide that?

MARKS: Well, I just decided. I had a police officer come and help me a little bit.

SENEY: Someone who had been a bailiff so they could observe the court?

MARKS: That's right. Once in a while I had somebody, it was my neighbor, got a

traffic tag. I excused myself. I didn't want to hear that.

SENEY: Again, I would think that that would be just the most bewildering experience to walk into a court and sit down as a judge, again with no training or no orientation. You've got your reporter, you've got your clerk, you must have relied on them because they knew. Right?

MARKS: That's right. I had about 400 matters a day. I had trials, I had preliminary hearings -- I would have to decide whether they would go to the Superior Court, like a regular trial, four or five of those a day. I had no research, nothing. I did it myself.

SENEY: Do you remember any humorous incidents that happened?

MARKS: Well, I remember one time there was a consul from some country and he had parked in a "No Parking" zone and he raised the argument that he was excused, and so I said no, he's not excused.

SENEY: For diplomatic immunity.

MARKS: Diplomatic immunity. And it went all the way and Washington called me to tell me I had to excuse him. I said, "Well, I will do it if he comes in and apologizes and says he was guilty." And he did. But I had a lot of cases, every case you can think of, everything you can think of. The thing that impressed me was the fact that I would listen to testimony on both sides -- I'd hear the plaintiff and the defendant both under oath and giving the opposite arguments and you had to make up your mind based upon their

opposite arguments.

SENEY: You found that hard to do?

MARKS: It was difficult because you tell me one thing and you're the plaintiff, and then the defendant tells me the opposite side thing. They're both under oath and they both tell me different things.

SENEY: I would think that would be -- you must have longed for the Legislature frequently?

MARKS: When Gene McAteer died, I was in my home shaving to do go out and somebody called me up and told me I should run for the Senate.

SENEY: Did it take you long to make up your mind?

MARKS: No, I decided right away.

SENEY: Before you put the phone down maybe.

MARKS: That's right. A tough race. That was the district where I was the only Republican ever been elected in 35 years.

SENEY: Talk a little bit about Senator McAteer because he was a very impressive person, was he not?

MARKS: Right.

SENEY: Tell us a little about him.

MARKS: He was a very tough man. He would have been elected the mayor of San Francisco had he lived.

SENEY: He was thinking about running, wasn't he?

MARKS: Yeah. He was quite convinced he would have been elected.

SENEY: How old was he? He wasn't that old, was he?

MARKS: Late 40s.

SENEY: And he died of a heart attack, am I right?

MARKS: He was playing handball up here and he died. They told him not to play and he did. He died at handball.

That was a very tough campaign because that was the campaign where all the Republicans were on one side, all the Democrats were on the other side, from [Robert F.] Kennedy on. Everybody was in the race, and for me to win a campaign like that where labor was very much opposed to me because they were very much for Burton--

SENEY: Right. John Burton was your opponent.

MARKS: That's right, and I beat him by 5,000 votes.

SENEY: Yeah. Almost exactly. Actually, you beat him by 5,020 votes. You ran against John Burton -- you were the top vote-getter with 48 percent.

MARKS: In the primary, yes.

SENEY: Let me see -- you finished first; you got 48 percent of the vote. He got 40 percent and Supervisor [William] Blake came in third with 12 percent. What was Blake, a Democrat or a Republican?

MARKS: A Democrat. He was a supervisor.

SENEY: So he was a Democrat.

MARKS: Right.

SENEY: So in other words, the Democrats had 52 percent of the vote, if you count both Burton and Blake here, and you had 48 percent. Did that worry you or did you feel pretty good after that primary?

MARKS: Well, I thought it was a very tough campaign. I thought I could have won in the primary. I came pretty close to it.

SENEY: You did. There was a fair amount of money spent on that election.

MARKS: A lot of money.

SENEY: A couple hundred thousand.

MARKS: Probably. I think it was the most expensive campaign ever in the history of California up to that time.

SENEY: Well, the stakes were high, weren't they, because the senate was almost evenly divided.

MARKS: It was a 20-20 vote.

SENEY: That's right. Your election would have tied the Senate and with a Republican lieutenant governor would have given the Senate over to the Republicans.

MARKS: If I'd voted for the Republican, which I didn't.

SENEY: I know you didn't, and we'll get to that in a minute. But the Republicans and the Democrats just pulled out the stops on this campaign, didn't they?

MARKS: Yeah, there was a lot of coverage. The Democrats had a mailer from

Kennedy and [Hubert H.] Humphrey and everybody you can think of. And the Republicans also were in my campaign. I told Ronald Reagan, who wanted to come down and campaign for me, that if he campaigned for me I'd stop campaigning. I would not have won.

SENEY: What was his reaction to that?

MARKS: He wasn't very happy about it.

SENEY: But he would have lost you the election.

MARKS: That's right.

SENEY: Did you tell him directly?

MARKS: I think so.

SENEY: And rather than being a practical politician who said, "What do you want, me to oppose you or endorse you," he was unhappy about it. Well, I know that Senator Kuchel supported you.

MARKS: Right.

SENEY: And [U.S.] Senator [George] Murphy, Congressman Mailliard. Did they come in or did they just send mailers?

MARKS: I think they sent mailers.

SENEY: Did you use any television in the campaign, do you remember?

MARKS: I think so. I'm not sure whether I could afford it. I don't know.

SENEY: Well again, there was a fair amount of money spent here.

MARKS: A lot of money. And the campaign was well-organized. Republicans

came in from all over the state to ring doorbells for me on election day.

SENEY: And the Democrats were well-organized too. The Burton organization was good.

MARKS: They were very well-organized.

SENEY: Right. And Burton was in the Assembly.

MARKS: He was in the Assembly when I was a judge. I had to take a leave of absence as a judge under the Constitution. You had to take a leave of absence. I didn't get paid for 6 months.

SENEY: But you could stay in office as long as you took the leave and it was an unpaid leave.

MARKS: It was unpaid, so I ran unpaid six months.

SENEY: But in this race the Republicans got behind you, didn't they, and kept anybody else out of the race, any other Republicans who wanted to run.

MARKS: That's right.

SENEY: Were there some other Republicans who were making noises about running?

MARKS: There were a couple who had talked about it but not too much because I was a good candidate. Because I was a candidate who could get a lot of support from Democrats as well as Republicans.

SENEY: Well, it was clear. I mean, if they looked at your numbers, you had been increasing your majority every time, even in the tough '64 race where

you'd come out on, from some people's point of view, the wrong side of Proposition 14. So looking at the numbers you must have looked very strong.

Who did they keep out? Do you know who was thinking about running on the Republican side that was encouraged not to run?

MARKS: He's a concert pianist. I can't remember his name. He's run for a lot of offices. He actually filed and they got him to withdraw. I'll think of it eventually.

SENEY: That's okay. We can add it in the transcript when you get the manuscript back. We can put brackets and put his name in there.

You know, my understanding is that the Republican fundraising, when the Republican Party decides it wants to back a candidate, is pretty centralized fundraising. So in other words, if they want Milton Marks for the Senate, the fundraising is disciplined enough that nobody else will really get any money if that's who they want. And that's the way it worked in this campaign?

MARKS: That's right.

SENEY: This was the first time you ever got such strong Republican support, wasn't it?

MARKS: That's right. And then I didn't support them.

SENEY: If I were the Republican County chairman and we have decided to go with

Marks in this race, I think I'd come to you and I'd say, "You know, if you get elected to this, and we're backing you 100 percent, we're going to expect you to vote a little more Republican than you did when you were--"

MARKS: I think they assumed I was going to.

SENEY: Did they ever come and talk to you in these terms though?

MARKS: No. They assumed I was going to.

SENEY: That was the wrong assumption. I don't know, why would they assume that? You had already shown yourself to be a pretty independent-minded guy.

MARKS: I don't know. I just decided I was going to support the Democrats.

SENEY: I guess I'm surprised that, again, given the Republicans' image and reputation for discipline in these matters, that they didn't come to you and say, "You know, come on, this time that's a capital "R" Republican, mind you." They never said anything.

MARKS: No, they didn't.

SENEY: Let me ask a little bit about the campaign some more and then we'll go to when you began your career in the Senate. How did you feel when Pat Brown endorsed Burton, given your closeness?

MARKS: Well, I was a little bit annoyed about it because he had just appointed me a judge. He got annoyed because I ran for office after I was appointed judge.

SENEY: He thought you should have shown your gratitude a little more by keeping out of the way.

MARKS: Right.

SENEY: Did you ever talk to him about it?

MARKS: No, I never did. I understood it but I was just a little disappointed about it.

SENEY: Sure. I can understand that. I mean, you regarded him as a friend, right?

MARKS: Right.

SENEY: But he may have felt the same way, do you suppose?

MARKS: That's right.

SENEY: What had your relationship been like with John Burton before the campaign?

MARKS: Fair. Only fair. I opposed him a lot on a lot of different things, a lot of issues. It was not a good campaign.

SENEY: How do you mean?

MARKS: It was pretty vicious.

SENEY: Was it?

MARKS: On both sides.

SENEY: What would make you say that? What happened that made you say that?

MARKS: Well, I got a little bit vicious to him about his stand on American activities and he got vicious with me about my supposedly bad labor record.

SENEY: Did you accuse him of being kind of weak on unAmerican activities kind

of things?

MARKS: Right.

SENEY: Did that make you a little uncomfortable?

MARKS: Sure it did.

SENEY: I guess you were looking for an issue and this was kind of it and you might have wanted at something else but this was it.

MARKS: Right.

SENEY: Anybody advise you to do that, to take that tact?

MARKS: I think my campaign manager.

SENEY: And who would that have been?

MARKS: Ed Slevin.

SENEY: And that was someone from the Republican Committee, wasn't it?

MARKS: He was a Republican. He wasn't with the committee.

SENEY: If he hadn't been there do you think you would have done that?

MARKS: Probably not.

SENEY: Did it work, do you think?

MARKS: Sure. I got elected.

SENEY: Did you regard his labor charges, you're-weak-on-labor charges as unfair?

MARKS: It was very unfair because I had a very good labor record. I had an outstanding labor record. In fact, I had the best labor record of anybody in the Legislature as a Republican. The best.

SENEY: You know, there was a dinner that went on prior to this, Congressman Shelley was there and Senator McAteer, and apparently those two were trying to decide who was going to run for mayor. There was some jockeying between them. It was a labor dinner, and they were forbidden to talk about that. And the interesting thing was you were there too; you were still an Assemblyman. And you were in the place of honor. Do you remember that, the carpenters' labor council dinner?

MARKS: I was honored.

SENEY: Right.

MARKS: [John F.] Jack Henning even put out a commercial for me, not in that campaign. The Assembly race. I was Republican.

SENEY: Well, I would think, given that kind of treatment by labor, that it must have been kind of hard to make a charge like that stick.

MARKS: I went to labor afterwards, after that campaign, and I said, "You know, Sam [Samuel] Gompers is a Republican. I'm not the only Republican here and I have the best labor record of anybody in the state of California and you wouldn't endorse for me." They have ever since.

SENEY: But in that campaign they pretty much endorsed Burton, didn't they?

MARKS: They did.

SENEY: And do you regard that as a kind of example of Phil Burton's influence?

MARKS: Yes.

SENEY: Because he had an excellent labor record as well. He had a close rapport with the labor forces. You guys actually debated, you and John Burton.

MARKS: We had a good debate.

SENEY: You had several debates, but apparently the one that was important, the critical one, was on KPIX-TV on August 9, 1967. Do you remember that debate?

MARKS: Yeah. I remember going down to a hotel, stayed there. I remember someone gave me a drink beforehand. He said, "Have a little sip of -- a drink of scotch beforehand." I really was very much up on the debate. I demolished Burton.

SENEY: Did your people prepare you well for the debate?

MARKS: Yes, they did.

SENEY: Spend some time studying?

MARKS: A lot of questions.

SENEY: So you had an actual mock debate beforehand?

MARKS: That's right. And he was not a good debater.

SENEY: Was he prepared?

MARKS: Pretty well, but not too well.

SENEY: Do you recall that debate and where you thought you demolished him? What were the issues on which you thought you got the upper hand?

MARKS: I just talked about the issues in my campaign, his campaign. I remember

he went on campaign all that day. I didn't campaign at all that day. I thought he was stupid to campaign and be tired from going to the campaign to the debate. I rested.

SENEY: Did you find your debate experience from college helpful here at all?

MARKS: I did.

SENEY: Why do you think that your campaign manager, or whoever it was, gave you a little shot before?

MARKS: Well, he said to pep up a little bit. I had one shot. It was this big, you know.

SENEY: Well, you know, as little as contact we've had, you strike me as being fairly reserved.

MARKS: Right.

SENEY: And I think that this maybe was to dissolve a little of that reserve--

MARKS: Probably. And be tough.

SENEY: Get you to clench your fist maybe when it needed to be clenched and shaken at the camera. Did it work?

MARKS: It worked. It was wonderful. It was a great debate.

SENEY: Feel good afterwards?

MARKS: I felt wonderful.

SENEY: And you knew you'd won.

MARKS: I knew I'd won.

SENEY: What was the press take on the debate afterwards?

MARKS: They said I'd won.

SENEY: Because who knows how many people watched the debate, but a lot more are likely to read the newspaper and that's the important thing.

MARKS: KPIX had an hour program on 7 to 8, or 8 to 9, one or the other.

SENEY: But even if people hadn't watched it they saw the *Chronicle* or the *Examiner* or the *News-Call Bulletin* the next morning who would have said "Marks Wins." If they'd seen it, it reinforces it; if they hadn't seen it, it gives them an outcome on it.

Do you regard this as a pretty decisive event in the campaign?

MARKS: Yes, I did. I thought it was very important.

SENEY: Because as you said, this was the first time in 32 years that a Republican was elected to the State Senate and this was an all-out campaign.

MARKS: It was a very tough campaign when you consider the district was 17 percent Republican. Seventeen percent. Overwhelmingly Democratic. All the Assembly were Democratic.

SENEY: And this is the whole city of San Francisco.

MARKS: Whole city. Everybody was Democratic except me, and I really had a very tough campaign.

SENEY: Let me turn this over, Senator.

[Begin Tape 5, Side A]

SENEY: Go ahead, Senator. We were talking about this large senatorial district.

MARKS: Well, it was a huge district. Heavy labor, heavy environmental, heavy everything. Mostly against me. It was amazing that I could win this seat.

SENEY: I know that when you served the 21st district -- which was in 1958 a sixth of San Francisco, after the 1960 reapportionment a fifth of San Francisco; still a good-sized piece of San Francisco -- that you were out in that district all the time, but now you've got the whole city to think about. Did you know the city as a whole well? Had you been out in these other neighborhoods?

MARKS: I had been but not as much, but I had been somewhat. I was born in San Francisco.

SENEY: But, of course, you lived in the same area where your district was and you kind of lived in that Jordan Park-Sea cliff area all your whole life, haven't you?

MARKS: Right.

SENEY: And even though it's not very many miles, it's a long way from, say, Hunter's Point or, I wouldn't say so much from Chinatown -- I think it's a little closer there -- but the Twin Peaks area. I mean, it's quite a diverse city for being a small city.

MARKS: When I campaigned at Hunter's Point, it was heavily Black and heavily

Democratic. I'd get one vote out of 200.

SENEY: In a precinct.

MARKS: In a precinct. He just walloped me at Hunter's Point.

SENEY: Well, that was an area that Phil Burton had really organized, beginning in 1956 when he was first elected to the Assembly. Did you campaign much down there anyway?

MARKS: I campaigned somewhat.

SENEY: But I mean, obviously you know what the vote's going to be, largely.

MARKS: I carry it heavily now.

SENEY: Oh, I'm sure you do.

MARKS: Got a big Black leadership support.

SENEY: But in those days, that was solidly in Burton's camp, wasn't it, and so forth.

MARKS: Right.

SENEY: To what do you credit your victory? What would you say it was, do you think?

MARKS: I campaigned like hell. I just rang doorbells by the carload, and I made many speeches. I remember one time I was campaigning -- I was driving down Market Street and I saw Burton standing on the thing where you get on a streetcar, so I said to my man, "Let me stop here." So I got off and I campaigned right next to him, and he said, "What are you doing here?!" I

said, "Well, this is the area I want to represent." And so I campaigned. I rang doorbells. I campaigned very heavily, annoying him terribly. I used to stand in front of his headquarters all the time and campaign.

SENEY: As I said, you strike me as a kind of reserved person. I don't know, would you say shy even a little bit?

MARKS: I was. I'm not as shy as I used to be.

SENEY: Was it hard, is it hard -- maybe it isn't now -- but was it hard for you to ring doorbells?

MARKS: No, it wasn't. I used to go all the way up where the mailman couldn't even get up. I'd ring a doorbell. I just felt that I would impress somebody by going up.

SENEY: And your feeling was that if you could make direct personal contact with them they'd likely support you.

MARKS: Right.

SENEY: And I expect you feel like you were proven right in that.

MARKS: Right.

SENEY: What other memories do you have of that campaign? What other kind of anecdotes?

By the way, did Governor Reagan call you and congratulate you when you won?

MARKS: I think he did. They expected me to vote for the Republicans.

SENEY: Well, you must have felt pretty good that night.

MARKS: I felt very good. I said it was amazing that I won the seat.

SENEY: Let me ask you this: Were you happiest about being back in the Senate or being out of that courtroom?

MARKS: I was happy about being out of the courtroom and being in the Senate.

SENEY: Let me say to you that I think probably that, as an outsider, someone observing this, that they may have done you a favor by reapportioning your district out from underneath you. One, you got to try out some judicial robes to see if you ever wanted them, and now you know you never did. And luck put you in a position to run for the Senate, which I expect you enjoy more than the Assembly. Don't you?

MARKS: I do.

SENEY: So I think that you ought to -- you said the Democrats ought to build a monument to Knowland. I think you ought to put a plaque to Phil Burton up here on the wall, thanking him for career advancement decisions, you know? Do you think of that ever?

MARKS: He didn't try to advance my career at all.

SENEY: But he did, didn't he? I mean, even though he didn't intend to, he gave you a nice promotion. Because as things worked out, if Senator McAteer hadn't died at the time he did, and this was a special election, would you have been moved, do you think, to run in a regular election for the office?

MARKS: No. Probably not.

SENEY: And here was this 19 to 20 split in the State Senate that brought the Republicans in to focus on a single candidate; they focused on you. That wouldn't have happened in another campaign, would it?

MARKS: No, they were very devoted to me. They campaigned like hell for me.

SENEY: And you're smiling when you say that.

What other memories do you have from that campaign?

MARKS: Well, I remember election night. I remember being--

SENEY: Was it late before you knew you'd won?

MARKS: Yes, because it was very close.

SENEY: I have the numbers here--

MARKS: Five thousand votes.

SENEY: Right. You received 106,446 votes and Mr. Burton received 101,426 votes. So 5,020 votes separated the two of you.

MARKS: Very close.

SENEY: You got 51.4 percent and he got 48.6.

MARKS: Very close.

SENEY: Do you remember what time of night it finally became clear you'd won?

MARKS: Oh, maybe midnight.

SENEY: In those days it was more exciting, wasn't it? Because you didn't have the computers and you didn't know--

MARKS: You'd go down to the city hall and you'd see them counting up the votes.

SENEY: And you didn't know at two minutes after eight who had won. It would seesaw back and forth a little bit. Well, that must have felt good, but as I say, I suspect, and you've said as much, that it was getting rid of those judges robes.

MARKS: I don't think I liked being a judge too much. I can marry people. I can still marry people.

SENEY: Oh, you can?

MARKS: Yes.

SENEY: You know, I want to say something about Speaker Ralph Brown who was eased out of the Assembly in essentially the same way. He got an appeals court judgeship down in Fresno that was especially created for him. And I'm told that he did not like that at all. Did you stay in touch with him after that, do you remember?

MARKS: No, I did not. I don't even know when he died, if he did.

SENEY: Well, he did. He died in 1966 -- '67. Other people I've interviewed have said he just hated it because here you go from the rough and tumble of the Legislature to these quiet precincts of the appellate court where your phone never rings, nobody comes to see you.

MARKS: There were plenty of people to see me. I had no training, no research. I had to do it myself.

SENEY: There must have been a chief judge in the municipal court.

MARKS: There was.

SENEY: And so you come in on the first day -- did he say anything to you?

MARKS: He swore me in.

SENEY: Good luck.

MARKS: Good luck. You go to work right away.

SENEY: You've got courtroom three?

MARKS: Be there the next morning.

SENEY: And that was it.

MARKS: That's right.

SENEY: Well, again, when you were elected to the Senate, as we said, there were 20 Republicans now, including you, and 20 Democrats and Lieutenant Governor [Robert H.] Finch casting the deciding vote, and this was to allow the Republicans to organize the Senate. And in those days, just after the election, you were viewed as a kind of Republican hero that you had managed this, right? But now comes the leadership election, and who did you end up voting for?

MARKS: I voted for Burns.

SENEY: For Hugh Burns. The long-time Democratic leader.

MARKS: I was helped in this by Jack McCarthy, was the Republican leader. He told me I should vote for Burns.

SENEY: Did he really?

MARKS: Right.

SENEY: Your liberal friend. And he was the Republican leader at the time.

MARKS: Right.

SENEY: What did he say to you?

MARKS: Well, he'll do better. I think the person who ran against Burns was somebody from Northern California.

SENEY: It was [Senator Donald H.] Grunsky, wasn't it?

MARKS: Grunsky. I didn't like him at all. He said I shouldn't vote for Grunsky.

SENEY: Grunsky would have been the Republican leader if you had voted, if Finch had broken the tie in Grunsky's favor.

MARKS: Right.

SENEY: Did the Republicans come to you and say, "Now, don't forget how to vote here"?

MARKS: No, they assumed I was going to vote for him.

SENEY: This all went on in the whole Senate, right?

MARKS: I just voted for Burns.

SENEY: Was this a recorded vote, a voice vote?

MARKS: It was a voice vote.

SENEY: And someone asked then for a recorded vote on this?

MARKS: No. It's recorded in the sense that you cast a vote. It's voice vote. They

record that afterwards.

SENEY: Oh, I see. Okay. So it was clear that you were voting for Hugh Burns.

MARKS: Right.

SENEY: How close was that election?

MARKS: I think he won by one vote.

SENEY: What did they say to you afterwards?

MARKS: Well, they were very unhappy about it.

SENEY: Well, what did they say? They must have -- I can't believe they didn't come to you and say, "Damn it, Milton, you were supposed to vote for Grunsky; what happened here?" Nothing like that?

MARKS: I said I didn't like Grunsky.

SENEY: I would think that they would just raise holy hell.

MARKS: They were annoyed.

SENEY: Well, tell me what happened. Give us a flavor of how strong the emotions were over this kind of thing.

MARKS: A lot of the Republicans came over and complained about my vote. I said I just wanted to vote the way I voted. I said I had never promised anybody that I'd vote a particular way.

SENEY: Well, did Burns approach you, by the way, about the vote?

MARKS: Yes, he did.

SENEY: Before the vote.

MARKS: I talked to McCarthy and Burns together.

SENEY: What did Burns say?

MARKS: Well, I'll give you good committees and I think it's important that I ought to stay on and you should not change your position and you should just be a Senator and not just a Republican Senator.

SENEY: Hugh Burns was a kind of legendary Senate leader, wasn't he?

MARKS: He was there forever.

SENEY: What was he like? Talk about him a little bit.

MARKS: I liked him very much. He was very easygoing. He was a man of great ability and was able to run the Senate and he was fair to Republicans as well as to Democrats. He was fairly conservative.

SENEY: Right. From Fresno.

MARKS: Right.

SENEY: What was your reaction to the Senate? Obviously, you had worked with the Senators as an Assemblyman on your legislation, so this wasn't a completely new situation for you. But how did the Senate differ from the Assembly?

MARKS: When I was in the Assembly, the Senate was a lot of old men -- very old. I mean, they're probably not as old as I am now but they seemed very old. And only men, no women at all, in the Senate. I used to go over and see them; I used to feel very impressed by them. Very old people. Older men.

SENEY: How about the workings of the two bodies? How did they differ? What did you learn about working with the Senate?

MARKS: Well, the Assembly had a caucus -- we used to have a caucus -- and the Senate never had a caucus. I said, "Who's the Democratic or Republican Caucus chair," and they said, "There isn't any in the Senate." They were just basically a Republican body but they were more individuals than the Assembly, less partisan.

SENEY: Well, a little bit later you do get caucuses.

MARKS: Yes, I became the chair of the caucus.

SENEY: Yeah, and it becomes a more partisan body in the future.

MARKS: I don't think it's as good.

SENEY: You voted for Burns over Donald Grunsky as pro tem and you did end up with some very nice committee assignments. You were made vice chair of Public Health and Safety by Burns. And by the way, does it mean much to be vice chair of a committee?

MARKS: Only if the chair is not there.

SENEY: Otherwise it's just kind of an honorary title?

MARKS: Yeah.

SENEY: But for a new member in the Senate, that's pretty good, isn't it? Then you were also put on the Transportation Committee. That was important, wasn't it? Did you ask for that one?

MARKS: No.

SENEY: That one was important because, of course, there was the need for funds for BART [Bay Area Rapid Transit Authority] and whatnot and those would go through that committee. And you were also put on Business and Professions and Local Government and Natural Resources. Those were all good committee assignments for a freshman.

MARKS: Right. I later became the chair of the Local Government Committee. I was chair for 15 years -- longer than anybody in history.

SENEY: Right. When we get to talking some more about the Senate, probably tomorrow, we'll talk about that.

I did want to ask you though, as long as we brought up Lieutenant Governor Finch, you served under a number of lieutenant governors, and this is as good a time to talk about them I suppose as any. Maybe we can get you to tell us a little bit about each of them and comment on them. [Lt. Governor] Glenn [M.] Anderson was the first one.

MARKS: Glenn Anderson I knew pretty well. I didn't know him too well. He was a Democrat and I was a Republican. I had a relationship with him; I knew him, but I didn't work with him too much. I knew Finch better.

SENEY: Talk a little about Mr. Finch.

MARKS: Finch I tried to convince not to go back and leave the state of California and go with Nixon. I tried to convince him not to do that.

SENEY: He became HEW [Health, Education and Welfare] secretary.

MARKS: I told him he should not leave. I said he should stay here and run for governor. He would have been elected governor, I thought.

SENEY: People liked him, didn't they?

MARKS: I liked him very much.

SENEY: He was moderate.-

MARKS: Yes, he was.

SENEY: And able. What else would you say about him?

MARKS: I thought he was very honest. He got into a lot of trouble one time.

SENEY: How was that?

MARKS: He had some kind of a -- he was thrown out as the lieutenant governor. I forget what it was.

SENEY: You know, he resigned as lieutenant governor and went back to HEW and there were rumors that he had a breakdown. Is that what you're thinking of?

MARKS: I'm not sure.

SENEY: And kind of had to be taken out of the HEW headquarters and left shortly thereafter?

MARKS: I'm not sure.

SENEY: I don't know the truth of that but he left.

MARKS: He just died recently. I didn't think he should have left California. I tried

to convince him not to do that.

SENEY: What about [Lt. Governor] Ed Reinecke?

MARKS: I liked Ed Reinecke too. He's a man who had trouble with--

SENEY: Well, he did, didn't he?

MARKS: He was thrown out one time.

SENEY: Yes, right. He was forced out.

MARKS: But I liked Reinecke very much.

SENEY: Do you remember what the problem was with him? It had to do with--

MARKS: Testifying.

SENEY: Right. Perjury.

MARKS: Perjury.

SENEY: Conviction.

MARKS: Right.

SENEY: And that had to do with the 1972 Republican Convention in San Diego and whether ITT [International Telephone and Telegraph] had given money or not.

MARKS: Right, right.

SENEY: And then the conviction was overturned on a technicality because apparently when he lied to the Senate committee there wasn't a quorum there, so he got out.

MARKS: I don't think he should have been thrown out.

SENEY: Well, apparently he's back in, and has been active again in Republican circles.

MARKS: I haven't seen him in years. I don't see too many Republicans.

SENEY: What about [Lt. Governor] Mervyn [M.] Dymally?

MARKS: Mervyn Dymally I worked very closely with on reapportionment. One year I worked on the one reapportionment that I did very well, I worked with him very closely. I was not a member of his committee but I used to talk to him all the time on reapportionment.

SENEY: This was the 1980 reapportionment.

MARKS: I liked him very much.

SENEY: He's now out of office again, isn't he?

MARKS: Right.

SENEY: He left the Congress a couple of terms ago. What about [Lt. Governor] Leo [T.] McCarthy? Oh, I'm sorry, let's not forget [Lt. Governor] Mike Curb.

MARKS: Mike Curb was difficult. He's a Republican who, when the governor leave the state, would try to take over the governorship. That was ridiculous. I got along well with him.

SENEY: Well, no lieutenant governor had really done that before, had they. He made judicial appointments and did other kinds of things when [Governor Edmund G.] Jerry Brown [Jr.] was off campaigning for President.

Exactly.

How about Leo McCarthy?

MARKS: Leo used to campaign against me very heavily. I've since become a good friend of his but I remember on some of the Republican races against Democrats he would campaign. He'd send mailers to help my opponent.

SENEY: Of course, he had a sort of Democratic organizational faction in San Francisco, didn't he?

MARKS: Right. But I liked Leo. Leo was a good lieutenant governor.

SENEY: How about [Lt. Governor] Gray Davis?

MARKS: Gray Davis, I got along well with him. I don't know him too well; I just know him. I've worked with him closely.

SENEY: Right. Do lieutenant governors have much to do with the operation of the Senate really?

MARKS: They rarely come here. Very rarely.

SENEY: Just kind of for ceremonial occasions.

MARKS: Once in a great while.

SENEY: And other than the period when you were elected, the Senate has not been evenly split, has it, so the lieutenant governor's vote is not really necessary to break any kind of tie.

MARKS: There was one thing when Mervyn Dymally split the vote. That was on the willful consent bill. The bill Willie Brown had on willful consent of

sexual partners.[1]

SENEY: Oh, yes; consenting adults.

MARKS: I voted for it and I'm one of the authors of the bill, although I was a Republican then. But that split 20 to 20 and Mervyn Dymally was phoned in to cast the vote to decide the bill.

SENEY: This was to decriminalize sexual activities among consenting adults.

MARKS: Right.

SENEY: Let me bring up some of the legislation that you sponsored in the Senate this first term, and one was Senate Bill 843,[2] that public agencies cannot can go to court to prevent highways from being built through parks. Do you remember that piece of legislation?

MARKS: Yes, that was an important bill. That helped the campaign later on against, Ron Pelosi when he had voted to build a freeway in Golden Gate Park. I used it very much against him.

SENEY: He was a supervisor then, was he, when he did that.

MARKS: Right.

SENEY: There was actually a plan to have numerous freeways that were never built in San Francisco, weren't there?

MARKS: That's right.

---

[1] A.B. 489 1975-76 Reg. Sess., Cal Stats., ch. 71 (1975).

[2] S.B. 843 1968 Reg. Sess., Cal Stats., ch. 810.

SENEY: Do you think that's generally been a good thing for San Francisco, that those freeways were not built?

MARKS: Well, it's helped San Francisco. Probably the people of San Francisco like it. I'm not so sure it helps traffic.

SENEY: Do you think to make them a little more dependent on public transportation and make that more viable?

MARKS: Right.

SENEY: Now, you were just in the Senate briefly and then, of course, you had to face to another election in 1968.

MARKS: Who'd I run against then?

SENEY: You ran against Bill Newsom.

MARKS: Oh, yes. Newsom was a justice in the court of appeal.

SENEY: Right. And he still is on the court of appeal, isn't he?

MARKS: Right.

SENEY: And you beat him very decisively: 152,979 votes for you, and he got 116,218 votes.

MARKS: He was a tough campaigner.

SENEY: You know, you're very complimentary towards your opponents but they don't seem to do very well.

MARKS: Well, I'm complimentary to some of them. I wasn't complimentary to Bob Mendelsohn.

SENEY: We'll get to him in a few minutes. But in the case of Newsom, he's from a prominent family in San Francisco, isn't he?

MARKS: Very prominent.

SENEY: What was his father's role in politics in San Francisco?

MARKS: Something to do with Squaw Valley or--

SENEY: Well, he was involved in that a little bit, but he was a contractor in San Francisco, was he not?

MARKS: Right.

SENEY: One of Pat Brown's major political backers.

MARKS: Right.

SENEY: Do you remember his father at all from politics in San Francisco?

MARKS: Slightly. Not too well.

SENEY: What are your memories of that 1968 campaign?

MARKS: It was a tough campaign because he was a tough opponent. I'm not sure I did as well as I did.

SENEY: Well, that must have been fairly exhausting, I would think, to have just gone through one election and now you had another one.

MARKS: It was.

SENEY: What was your relationship like, by the way, with Governor Reagan during this period in the Senate?

MARKS: Terrible. I would see Governor Reagan almost every day. He called me

down because I voted against his proposals and he'd try to convince me to vote the other way. Occasionally he would but very rarely he would. I did not like him at all. I thought he had a great sense of humor, but I did not like him at all.

SENEY: Did he have the kind of charm, as far as you were concerned, in face-to-face meetings that people often comment on?

MARKS: He was charming but I just felt he was so damn reactionary, so contrary to what I stood for.

SENEY: Do you think he had a grasp of the issues? Did he know the subject area?

MARKS: I think he did.

SENEY: I know as President he was criticized for not having a grasp of the issues, but as governor you felt he probably did?

MARKS: I think he had a pretty good grasp, but he was a terrible governor.

SENEY: What would you pick out in terms of the policies he advocated on which to rest that judgment?

MARKS: Well, he was very bad on labor issues and very bad on environmental issues. Very bad on every issue I could think of. I didn't agree with him at all.

SENEY: What about his judicial appointments?

MARKS: Judicial appointments weren't too bad.

SENEY: How would you evaluate his administration in terms of the people he

appointed to departments and agencies?

MARKS: Fair. Just fair.

SENEY: In terms of working with them.

MARKS: Sort of reactionary.

SENEY: Did you notice a big difference in terms of your relationship as a legislator -- obviously, you moved from the Assembly to the Senate by now -- but your relationship with the administration of Pat Brown and the administration of Governor Reagan?

MARKS: I was much closer with Pat Brown. Very close.

SENEY: I'm not thinking so much of the governor himself but, say, the department heads and the agency heads.

MARKS: He was very reactionary. He appointed a lot of reactionary heads of commissions, park commission, every other commission you could think of.

SENEY: People who were ideologically in tune with him.

MARKS: Right, right.

SENEY: Now, in terms of running against Newsom, Newsom wasn't -- he would be rated as a liberal, wouldn't you think?

MARKS: Right.

SENEY: And so you probably wouldn't have been all that far apart on issues with someone like Newsom.

MARKS: No, he just was critical of me. Very critical of me. I've become a good friend of his since then.

SENEY: This was just campaign stuff, I take it. Do you take that personally, do you?

MARKS: Well, sometimes in the middle of a campaign you do. Mendelsohn was very difficult. A very tough campaign.

SENEY: Maybe tomorrow we'll get as far as Mr. Mendelsohn.

By the way, going to the '68 campaign, were you a delegate to the Republican Convention in '68?

MARKS: No.

SENEY: Were you active at all in Nixon's '68 campaign?

MARKS: No.

SENEY: Did you vote for him, do you think? Or did you vote for Mr. Humphrey?

MARKS: I look so much like Humphrey; everybody tells me I look like Humphrey.

SENEY: You do.

MARKS: I'm not sure who I voted for. Humphrey once told me, he said, "How do you stay out of jail, you look so much like me?"

SENEY: Well, that's true; you do have a very strong resemblance to him.

How about Reagan? Did you support Reagan in 1970?

MARKS: Who'd he run against?

SENEY: He ran against Unruh.

MARKS: If I did, I wasn't very active in the campaign.

SENEY: And there's a chance you might have voted for Unruh?

MARKS: Might have.

SENEY: Now, in 1972 you were elected to the Senate and you defeated Ron Pelosi, and again, it was--

MARKS: That was a good campaign.

SENEY: Why do you say that?

MARKS: Because I walloped him.

SENEY: You did. He got about 700 more votes than Newsom did. He got 116,902 -- a little less than 700 more votes -- but your total went up by 20,000 this time. You got 172,071 votes.

MARKS: I just walloped him.

SENEY: Why do you think that was?

MARKS: He'd just been elected president of the board of supervisors -- just elected -- and he decided to run for the Senate. I was very critical of him for doing that right away. He had just been elected to the board of supervisors -- president of the board of supervisors.

I remember one time my campaign manager found a piece of literature that he was going to put out and somehow or other got it, and so I reproduced it, the same campaign. I had different answers to the same questions.

SENEY: Let me turn this over, Senator.

[Begin Tape 5, Side B]

MARKS: I found the same piece of literature that he had and I reproduced the cover. It looked exactly the same; inside it looked different. I sent it out the same day that he did and it just devastated him.

SENEY: So you mean the voters got these two pieces on the same day.

MARKS: Right, right.

SENEY: How did you come to find this piece of literature?

MARKS: My campaign manager found it somewhere.

SENEY: Well, from the printer or something.

MARKS: From the printer, I guess. I'm not sure how he got it.

SENEY: Somebody in the Pelosi campaign?

MARKS: I don't know how he got it.

SENEY: I don't know, would we call that a "dirty trick" today?

MARKS: Well, it wasn't a dirty trick. I just was --

SENEY: You know what I mean.

MARKS: I just was answering his arguments.

SENEY: Did he let you know he wasn't too happy about that?

MARKS: He was very unhappy about that.

SENEY: Were there any debates in this campaign?

MARKS: Yes, there were.

SENEY: And how did those go? What about in the Newsom campaign?

MARKS: I think I did well.

SENEY: Were there debates in the Newsom campaign as well?

MARKS: Yes, there were. I think I did well. I just had issues -- I could not see why they should throw me out.

SENEY: You hadn't done anything to deserve rejection by the voters.

When you got to the Senate, what did you see as your legislative priorities? What were you trying to do?

MARKS: Well, I wanted to do good in the Senate. I wanted to be honest. I was interested in transportation and education. I've always been very interested in education. I felt that not enough money was spent for education. And civil rights, I've been very interested in it. Transportation to some extent. Local government.

SENEY: Were there anything, do you recall, in specific that you said, "This is something I want to put a bill in on, this is something I want to do"?

MARKS: Well, I was very supportive of a lot of the civil rights legislation that passed, and I voted for the FPPC [Fair Political Practices Commission] bill.[1] I voted for the Rumford Act. I voted for a lot of bills that were important to me.

---

[1] Proposition 9 (June 4, 1974).

SENEY: Some of the files that I got from you -- and there were a lot of them in your home.

MARKS: There are millions.

SENEY: Oh, there are; there're so many. So I tried to select out some that I thought were representative. I very much wanted to look at your newspaper scrapbooks and so forth, and they're wonderful, and in those you have not only your own campaign literature but the campaign literature of your opponents too. I mean, they're quite complete. And one of the things that I took a selection of were the kind of files that have to do with the way in which you handled constituent relations and the various groups in your district. I want to ask you about that too.

As you looked out at the 21st Assembly district, and I can't remember -- what number was your Senate district, is your Senate district?

MARKS: Ninth when I first started. Now the third.

SENEY: When you looked out at the Senate district, how did you view the city of San Francisco or the 21st district? I know you saw individuals but you must have seen groups of people and organizations and so forth.

MARKS: There were a lot of Italians, a lot of Chinese, a lot of Blacks. A lot of every race you could think of. I tried to represent all of them.

SENEY: How did you go about seeking out the support of organizations, for example?

MARKS: I went to a lot of meetings -- hundreds of meetings. I've been to every meeting you could think of.

SENEY: I noticed in your files, for example, letters to and from the Mission District Merchants Association, the Marina District Merchants Association, the Sunset District Merchants Association. So I take it you would make sure you were in contact with those kinds of groups?

MARKS: That's right. I belong to a lot of the organizations.

SENEY: And you would attend their meetings.

MARKS: Many of them.

SENEY: What I'm trying to get at here is, as a politician, as someone who's seeking office and looking after their constituents, I'm trying to see how you thought about the city, what terms you conceived the city in, how it appeared to you in terms of getting elected.

MARKS: Well, it was divided. The city's been divided. The east and the west are entirely different. The east is more labor-oriented. And the west is more business-oriented.

SENEY: You know, when you think about the Richmond district and the Sunset district, in your mind is there much difference between those areas?

MARKS: No, not too much. I represented them for years.

SENEY: And they're pretty much the same in terms of the ethnic composition and the income levels.

MARKS: There're probably more Orientals in the Sunset than there are in the Richmond now. I'm not sure.

SENEY: And when you look at the Fillmore district, do you think--

MARKS: It's heavily Black, but not entirely.

SENEY: How would you approach that community?

MARKS: I would go to a lot of meetings of various kinds, a lot of Black meetings. I went to a lot of churches.

SENEY: That's what I'm thinking.

MARKS: Many churches. I used to get endorsed from the pulpit of the church sometimes. I have a great relationship with the Black community.

SENEY: Well, that's what I'm trying to get at. If you go out into the Sunset or the Richmond, would you tend maybe to approach them through the merchant associations and the service organizations?

MARKS: Probably.

SENEY: Then when you go to the Fillmore, that might be more through the churches?

MARKS: Right.

SENEY: And maybe in the Chinese community through the family associations?

MARKS: Right.

SENEY: That's what I'm trying to get at. And in the downtown area through the chamber of commerce, other business organizations.

MARKS: Right.

SENEY: Out in the Mission, that would be--?

MARKS: Some of the Spanish organizations.

SENEY: Maybe the Catholic church?

MARKS: I used to go to lots of churches. I went to a lot of bingo games. I went to bingo games by the carload, all the time.

SENEY: What would you do at a bingo game? Would you play a little?

MARKS: No, I'd pass my cards around. There would be a couple of thousand people who have won a bingo game -- I'd pass all the cards around. I'd say hello to everybody. Occasionally I'd give $10 or $15 to contribute to a campaign.

SENEY: Would they maybe have you call some of the numbers for a few minutes?

MARKS: Yeah, sometimes.

SENEY: That kind of thing? How would you keep up on where the Wednesday night bingo games are?

MARKS: I had a list of them. I get a list to know where Friday night was or Saturday night or Sunday night where they were.

SENEY: Well, I'm not sure they're so common now but there used to be of course neighborhood newspapers all over San Francisco. You must have used those.

MARKS: Still are a lot of them.

SENEY: And do you make sure you're keeping in touch with the people who publish them?

MARKS: Right. I really have a very good record of participating with people. I don't think anybody campaigns the way I do. Some of my fellow Senators have told me that I campaign far harder than they do. I used to go to some theaters where we had to wear a tuxedo. I would wear a tuxedo and then I'd meet people as they go into the theater and then I'd go home and change my outfit and then come back and I've changed into my tuxedo again.

SENEY: Is that right? That's interesting, you know, the way in which you reach out to the people and keep in touch with the people. That is a very unusual style of campaigning anymore.

Do you rely much on television?

MARKS: Television, I can't afford it too much.

SENEY: Well, I'm thinking about the Sunday morning sort of talk show, some of the local television stations.

MARKS: Try to get on them if you can.

SENEY: Would you approach them and let them know you were available and there are issues to discuss?

MARKS: Right.

SENEY: Do you very frequently, have you very frequently appeared on those kind

of shows.

MARKS: Not too frequently. Occasionally.

SENEY: What about meeting with the editorial board, say, of the *Examiner* or the *Chronicle*?

MARKS: I would go and see the *Chronicle* and the *Examiner* about once a year, talk to them and just say, "Do you want some ideas on what I would do?" The campaign I ran against Mendelsohn, I didn't have the *Chronicle* or the *Examiner*. I lost both of them.

SENEY: They endorsed him, do you mean?

MARKS: Mendelsohn.

SENEY: Well, they have been sort of inconsistent in terms of endorsing you, haven't they?

MARKS: They endorsed me more when I was a Republican.

SENEY: I take it you probably issue press releases from time to time.

MARKS: All the time.

SENEY: --and make sure those get down to the newspaper and so forth. So you're keeping your name and your activities and so forth in front of your constituents.

MARKS: I go to a lot of social events. I mean, if someone has a dance I'll go to that dance, what have you.

SENEY: Well, I see that frequently, say, on the agendas of, say, the Marina

Merchants Association you'll be there as a guest speaker or guest of honor and so forth. That's another way, isn't it, to keep your name in front of the members.

MARKS: Right.

SENEY: Do you think San Francisco's peculiar in this regard in terms of campaigning in this way? Do you think if you represented Sacramento you'd campaign the same way?

MARKS: Probably not. I'm really not sure, because I just believe you should meet people. I don't think you should just do it -- I think some legislators don't go anywhere and they stay up here all the time. They never go to their districts. I just feel that my responsibility is to represent everybody, and I still do it.

SENEY: Your general schedule is to come Tuesday mornings to Sacramento?

MARKS: Monday morning.

SENEY: Monday morning to Sacramento?

MARKS: Monday afternoon.

SENEY: And then return on Thursday afternoon to San Francisco.

MARKS: Right.

SENEY: So that then you're available on Friday, Saturday, and Sunday, and maybe a little bit on Monday if that's necessary.

MARKS: A little bit on Thursday night sometimes.

SENEY: And you're still adhering to this schedule.

MARKS: You look at my schedule, it's unbelievable. My wife is still doing it now because she's running for supervisor.

SENEY: Right, I understand she's running for supervisor. Are you helping her with her campaign?

MARKS: Sure am, making a lot of telephone calls.

SENEY: Let me say, is that an at-large election still?

MARKS: It's at large.

SENEY: She's running from the same constituency you run from.

MARKS: Right.

SENEY: Well, you should be some help to her then.

MARKS: I am.

SENEY: Let me ask you a little bit more about Reagan. Was there a difference, do you think, after the 1970 election? Was there a difference between his two terms?

MARKS: I think he was just awful every time. I really did not like him at all.

SENEY: Well, you've said that there was just complete policy differences and there was no meeting of the minds.

MARKS: He was so damn conservative, reactionary.

SENEY: He was a very different governor in that regard from, say, Governor Warren or Governor Knight or Governor Brown, wasn't he?

MARKS: Right.

SENEY: I mean, they weren't nearly as partisan as he was.

MARKS: Very partisan.

SENEY: And they were more pragmatic people than he was maybe.

MARKS: I used to talk to him all the time, see him all the time, and all the social events, see his wife all the time, and I did not get along with him at all. He probably hates me.

SENEY: What impact do you think Reagan had on the state, in the politics in the state?

MARKS: He was popular. He was very reactionary, just unbelievably reactionary.

SENEY: Did the tone of politics, though, change after him? Was there a line you can draw in terms of the way politics was before Reagan and after Reagan in the state?

MARKS: [Governor George] Deukmejian was pretty conservative too. I was gradually getting more Democratic.

SENEY: Well, Senator, if you don't mind, why don't we stop there.

Session 4, January 25, 1996

[Begin Tape 6, Side A]

SENEY: Good afternoon, Senator.

MARKS: Hello. How are you?

SENEY: Good. I'm fine, thanks.

I know you have a long term interest in Winston Churchill. Why don't you tell me about your interest in him and why you like him and what you think is great about him, and anything you'd like to say.

MARKS: I think Winston Churchill had a wonderful sense of humor, to start out with. He's a man who changed parties, which I have done too.

SENEY: So you feel a personal identification?

MARKS: He also was a great fighter, a great peace lover. Everything that I think is great about people is exemplified in Winston Churchill. He started out in school -- he didn't do too well, only except in the things he liked, which is sort of like me. He had a terrible childhood because he was sort of not taken care of by his mother and father. He had this woman who took care of him. He always felt he was going to die young. He lived to 90 -- over 90. He exemplified the finest things in the British language, the British tradition.

I think the British empire did a great job to the people of the world, even though there were problems with it, but they brought peace,

understanding, and a great civil discussion of the law, all the things that are exemplified in the British tradition. I think it's amazing that Great Britain, which was a country which had less than 50 million people in it, could control one-fourth of the world.

He was a great fighter for the things that he wanted. I think he exemplified the traditions of the British people when he defended Great Britain alone. There was a time when it looked like Germany was going to conquer the world and I think it was his words that saved the world. He spoke forcefully and simply. He had a great tradition of writing out his speeches beforehand so it looked like a poem that was written. Each speech was not given extemporaneously, although he pretended he was doing it extemporaneously.

I tried my best to get an autograph from him for years. I wrote to his doctor. I wrote to everybody I could think of. I got an autograph from his wife, everybody else but him. I finally bought an autograph and I have it in my home. But I've been to his home on a number of occasions. I remember one occasion that I went in there and the place was closed and I climbed over the fence to get into the place. I was with another man. I sat on the chair which Winston Churchill had by his pond. I sat there by myself and I said, "My god," I said, "We're going to be arrested." He said, "No, don't worry about it; we'll keep on going." So I went further

and further and I got up to the door and he said, "Ring the doorbell." I said, "No, I can't." And he said, "Well, you should do it," so I rang the doorbell, and Grace Hamlin, who's the keeper of the facility, was there, and I said, "May I have your autograph," which melted her. She showed me through the place, and I think it was great.

SENEY: What an experience!

MARKS: I collected a lot of copies of his paintings. I don't have any originals; I wish I did. I'd love to have one. I've got a series of books in my home in San Francisco. I've got probably a hundred more books by and about Churchill all in one area. I read them over and over again. I just think that he was a great man.

SENEY: You mentioned to me that you waited four hours to get a glimpse of him.

MARKS: I once stood on a curb in Great Britain, in London, to watch him get in his automobile, and I thought it was worth it.

I know his daughter very well -- Lady Somnes. She came to our home. We entertained her in San Francisco and she entertained us in Great Britain. She took us to the theater and a number of other dinners and all kinds of things. I know her very well. She's a lovely woman and I have a copy of her book, which she has a copy about painting.

When I was in Great Britain recently, I met the man who was the bodyguard of Churchill, whose name I cannot remember at the moment.

I'll eventually think of it because I have a book by him at my home. He took me to Churchill's grave. He took me around, visiting all the different things about Churchill and I was just absolutely amazed by it. Churchill's grave is very simple. It's near Blenham. It's just a little flat place in the ground. It's not in Westminster Abby, which I thought it would be. It's right there, which his mother and father are buried there and he's buried there.

I cannot say enough about Churchill. I just think that he's remarkable. I'd like to be like him, sort of like to be.

SENEY: Well, you certainly point out parallels between the two of you.

MARKS: That's right.

SENEY: That's fascinating that you were able to go into his home and to meet his daughter and get to know her. When you have an interest in an incredible historical figure, to come that close to him, it must be very thrilling.

MARKS: It is really, because I just think when he spoke in the depths of the British experience when they were alone and he talked about we cannot give anything but war and peace and all the things he spoke about, he spoke so beautifully and so deeply and it stirred up the British people to support him. I cannot understand why he was defeated.

SENEY: When did you begin to get interested in him?

MARKS: Oh, thirty or forty years ago. A long time ago.

SENEY: Before you got into politics yourself?

MARKS: Yes, during the war.

SENEY: Do you think that influenced you, your interest in him, to getting into politics yourself?

MARKS: Yes, I do. And he was also half American and all British.

SENEY: That's right. His mother was an American, wasn't she?

MARKS: That's right.

SENEY: Well, I know that you've traveled extensively. You've been everywhere, I think, haven't you?

MARKS: I've been to a lot of places.

SENEY: Have you been to Africa?

MARKS: I've been to Egypt and to Morocco. I've been in Northern Africa.

SENEY: I know you've been to India.

MARKS: And India.

SENEY: Asia.

MARKS: I've been to China and Taiwan several times.

SENEY: And of course, in the wartime, in the Philippines.

MARKS: Philippines. I've been to India, I've been to Singapore and to Thailand. I've been to a lot of countries.

SENEY: You know, a person certainly needs to relax and enjoy themselves, and travel gives you that, but I wonder if it brings you anything in terms of

what you do as a Senator.

MARKS: It really does because most of the trips I take are official trips. I have a great interest in the consuls of San Francisco. I entertain them once a year. I put on an event for them because I don't think the governor pays enough attention to them, and I do. So I've made a lot of friends among the consuls and therefore I've been invited on lots of trips.

SENEY: So you have official reception when you come to these other countries?

MARKS: Yes, I do.

SENEY: Can you think of anything specifically that you've brought back and applied here?

MARKS: I've always wanted to go to the parliaments of the countries when I go there. I've been to the Japanese Parliament and I've been to the Indian Parliament. I've been to the Chinese Parliament, I've been to the Philippines Parliament. I've been to all of them. I just get an interest in them. Taiwan Parliament. I get interested in the concerns of the people. Their job is sort of like mine.

SENEY: Seem pretty similar really?

MARKS: Yeah, it is.

SENEY: And I expect they're probably hospitable to a fellow legislator, are they not?

MARKS: They're very hospitable. I was in Indonesia. I established a sister-state

relationship between Indonesia and California. I started that.

SENEY: So do you have any travel plans this summer? I guess maybe not this summer.

MARKS: I was going to go to England, but I didn't go, this year. I love England. I'd love to live in London. I think it's a fascinating place. You can just walk there and just see historical relics there.

SENEY: Well, let me bring you back a little bit to talking about California, unless there's anything else you want to add about what they bring to your responsibilities here.

MARKS: Sometimes I get ideas. Sometimes I get legislation ideas. Sometimes I get that. I discuss problems. I went to Germany; I visited the historic sites there and knew something about the question of the disposal of garbage. I learned something about that in Germany.

SENEY: Do you think it helps keep up your enthusiasm for your job here?

MARKS: I think it does. I'm enthusiastic still.

SENEY: Well, that's important, isn't it, I mean, to keep your enthusiasm up and your interest at a high level.

I want to ask you a little about your environmental record, because you have a very strong environmental record. Now, this is only taking you up, again, to the 1972 election, and I want to talk about the legislation and some things we didn't talk about last time. Because you had then, and

perhaps you still have, a hundred percent rating from the Sierra Club.

MARKS: I do; I have the highest rating.

SENEY: Still. You've maintained that.

MARKS: Yes, I do.

SENEY: You were interested in a bunch of legislation in terms of the Bay Area Regional Open Space Commission?

MARKS: Right.

SENEY: And Bay quality legislation. How did you get interested in that?

MARKS: I was the chair of the Local Government Committee. I had a lot to do with local government.

SENEY: Now, that started in 1971, didn't it?

MARKS: Yeah. I was chair of that committee for about 15 years. Longer than anybody in the history of California that had ever been chair of that committee. I did much of the legislation. They used to have all the housing legislation. They used to carry all the housing legislation as well before they divided the committee. So I did a lot of environmental legislation, a lot of housing legislation, a lot of local government legislation. I got the award, as you saw -- you can see up there -- from when I was the chair of the committee.

SENEY: Right. It's from the League of California Cities. I'm thinking more about, say, how a legislator gets issues brought to them and how you become

interested in something. I sort of wanted to focus on questions, for a minute if I could, of, say, Bay water quality and Bay development, you know, whether or not there's going to be a strip zoning along the edge of the Bay. Who brought those concerns to you? How'd that come to you?

MARKS: I think a series of people: Sierra Club and the League of Conservation Voters, a number of other people. I've always been interested in trying to develop the Bay, the San Francisco Bay. I've lived in the San Francisco Bay all my life, and therefore, I'm concerned about it.

I was one of the authors of the BCDC [Bay Conservation and Development Commission] legislation.[1] That was a time when Ronald Reagan came to me and wanted me to amend the bill to provide that BCDC would only be subject to those communities which adopted it. In other words, Hayward, for example, would not be subject to it but Oakland would, and I refused to do that, even though I was a Republican at the time. I just refused to do that. I felt that the whole Bay is an area which is united.

SENEY: And that would have made the legislation pretty meaningless, wouldn't it?

MARKS: It would have.

SENEY: Was he adamant about that? He signed the legislation, didn't he?

MARKS: He did, but he wanted me to put an amendment in it; I wouldn't do it.

---

[1] A.B. 2057 1969 Reg. Sess., Cal. Stats., ch. 713.

SENEY: Did he try to get someone else to amend it?

MARKS: No, he just talked to me.

SENEY: Because you're the author of the bill.

MARKS: I was one of the authors of the bill.

SENEY: In the legislative process, if he wants something like that amended to come to you or one of the other authors to get your approval for that sort of thing.

MARKS: I had a series of bills to try to do something about making the Bay Area united. I didn't think San Francisco and Oakland should be separate. I think that they should be united economically and in some ways they should work together. I've tried to do that, sometimes successfully and sometimes unsuccessfully.

SENEY: That's very tough, isn't it, to get them to work together.

MARKS: Very tough, because a lot of the Bay Area mayors want their own jurisdiction.

SENEY: And if you want to increase their jurisdiction, that's fine; but don't cut into it.

MARKS: That's right.

SENEY: I'm wondering, you know, say something like the Bay Development Commission we're talking about here, might the Sierra Club people contact you and or some of the other environmentalists and say, "Senator,

we'd like to take you on a little tour and show you what we're interested in here and how you might help us"? Has that every happened?

MARKS: Yes, they have. They've taken me on a lot of tours.

SENEY: I appreciate you're receptive to them. That's why they call you no doubt.

MARKS: I once rode under the Bay in the BART tube on a bicycle.

SENEY: There are pictures of that in your files, right.

MARKS: I'd go all the way through and they said, "When you get through the middle of the BART tube, there'll be a place where you can have a drink." We got to the place to have a drink and they served prune juice.

SENEY: That was their idea of a drink.

MARKS: That's right.

SENEY: In fact, I'm glad you mentioned that because I want to ask you, what role did you play in the establishing of BART and the funding of BART?

MARKS: I supported the proposals and I helped.

SENEY: Well, I know you specifically supported the half-cent addition to the gas tax fund for the area.[1]

MARKS: Right, I did.

SENEY: Was that a tough piece of legislation to get through, do you remember?

MARKS: It was fairly tough but we did get it through.

SENEY: Right. You and George Moscone worked on it together.

---

[1] Unable to verify

MARKS: Right. George used to sit right opposite me. Sat right next to me.

SENEY: Well, I know you and Senator Moscone worked closely together on San Francisco matters.

MARKS: We did.

SENEY: I mean, as state senators you shared the same constituency.

MARKS: We had the same district. We both represented all of San Francisco.

SENEY: You two were the only two senators who did that, weren't you?

MARKS: I think so. I think Senator McAteer wanted it that way.

SENEY: He didn't want to have two senatorial districts in the city. Because that would be the option, of course, is to have two. That cause problems?

MARKS: No. We did very well. I'd go to his area, he'd go to mine, and we'd just work very well together.

SENEY: He was a Democrat, of course, and a member of the Democratic leadership, minority floor leader, then majority floor leader. Talk a little about Senator Moscone. What was he like?

MARKS: Senator Moscone was a very able man. He was very knowledgeable, very personable. He had a great personality. He had an ability to get along with people, very intelligent. I worked well with him. We ran against each other for mayor.

SENEY: Yeah, that's right, in 1975. We'll get to that. You know, one of the things I know that you do frequently is that you honor your constituents by

having resolutions passed in the Senate on their behalf, and I'm told that there was -- and I don't know exactly what the point of conflict was, but apparently you and Senator Moscone sponsored different ones for the same person, and after that you got together and agreed that you'd co-sponsor all these resolutions.

MARKS: We did. We found that at times we had the same resolution for the same person we'd put in individually. We thought it would be better to do them together.

SENEY: And I understand that you frequently voted the same as Senator Moscone and vice versa?

MARKS: I did. We talked quite a bit. We sat right opposite each other, where Senator [Daniel E.] Boatwright sits now.

SENEY: What has been your take over the years on BART? Do you think it's worked well? Has it met the expectations you had for it?

MARKS: It's done fairly well; not quite as well on equipment as I think it should do. I don't think it's kept up with its modernity, the modern facilities, as much as it should. But I don't take it too often. I do take it occasionally. Some areas of the Bay Area are out of the BART system and I think they should be in it.

SENEY: It hasn't grown very much, has it?

MARKS: No.

SENEY: It's added a new station recently toward the Concord area, toward the east. You know, in 1968 there was a 20 percent pay raise voted for the Legislature. Now, it was 20 percent but the Legislature hadn't had a raise for a while, so if you average it out it was a 5 percent raise. Do you recall that particular pay raise at all?

MARKS: I recall when I first went into the Legislature, $6,000 a year, which is ridiculous because I got far less than my secretary.

SENEY: How much is it now, by the way?

MARKS: It's over $75,000, which is pretty good.

SENEY: Well, yes. When you were first elected, that was before--

MARKS: Six thousand dollars.

SENEY: Before the job was regarded as a full-time one, really.

MARKS: When my father was in the Legislature, it was $100 a month.

SENEY: Is that right? In 1917.

MARKS: And then it got raised to $500 a month.

SENEY: Have the pay raise votes over the years caused you any trouble really with your constituents?

MARKS: No, I don't think so. I really think that we're entitled to good pay. If you look at our constituency, it's bigger than Congress. We represent 200,000 more people than a congressman, and the salary of the state legislator is far less than that of a congressman. I think we're entitled to good pay. I think

you get good pay, you get good people.

SENEY: Of course, in recent years you haven't set your own pay. You've had a commission that's done that.

MARKS: That's right. We don't set it at all.

SENEY: You can overturn the commission's recommendation if you want.

MARKS: It's rare.

SENEY: That's right. You're smiling when you say that. I can understand that. And didn't they just this last year recommend a pay raise for you that you didn't take?

MARKS: No, they did. They gave us one.

SENEY: And you took it.

MARKS: Yes. Some people do not; I think they're wrong.

SENEY: Some people simply turn it back, don't they? Or refuse to accept it.

MARKS: A few people that do not but I really think that we're entitled to the full compensation we get because we represent over 800,000 people and the congressman represents about 600,000 people.

SENEY: There are 40 senators in California, and how many are there, 52?

MARKS: Fifty-four.

SENEY: You know, one of the things we talked about last time was how you're out in the neighborhoods and meeting people and making yourself available, and I wanted to ask you about your mini-bus mobile office that you started

in 1969. Remember that?

MARKS: Yes. It was an idea that I bring myself to the people, and so I had a bus and I would greet people. I'd park wherever I could and have people come into the bus and greet them.

SENEY: You had an aide and a secretary with you as well.

MARKS: Right. Very good idea.

SENEY: So it worked well, do you think?

MARKS: Yes, it did.

SENEY: Do you still do it?

MARKS: No. I haven't done it for a long time.

SENEY: Why'd you quit?

MARKS: It was hard to arrange.

SENEY: Well, I know the initial article and the picture in the paper that alluded to it said you were out on Clement Street and out in Stonestown, and you were kind of surprised that you didn't have a little more business than you did.

MARKS: Right.

SENEY: I take it, though, it grew pretty quickly--

MARKS: It did.

SENEY: --and the people liked it?

MARKS: Yeah.

SENEY: And I take it the staff aide was there and the secretary so you could make

notes on the people's concerns?

MARKS: That's right. I'd take notes and names of the people and the concerns that they had.

SENEY: How did your constituents react to that?

MARKS: They liked it. My constituents like me to be with them. I like to be with them too.

SENEY: Did any other senators or representatives in San Francisco say, "Come on, Milton, don't do this; we'll have to do it too"?

MARKS: No. Sometimes they didn't do it.

SENEY: If it were me and I didn't want to do this and here you are out with your minibus office, I might see you in the hall and say, "What are you doing out there?! Come on. If you start doing this we'll all have to do it."

MARKS: Well, sometimes they did a little bit.

SENEY: Did they say that to you? You're smiling and nodding your head.

MARKS: A little bit.

SENEY: The tape recorder won't see you smiling and nodding your head.

MARKS: A little bit. I think some people -- some senators and assemblymen don't pay any attention to their constituents. I think they're wrong. I probably started it because I was a Republican at the time and I had a Democratic constituency.

SENEY: So you kind of had to do it.

MARKS: Right.

SENEY: And then once you started doing it the voters began to expect it and you've got to keep it up.

MARKS: Right.

SENEY: And then you like it, I guess, too.

MARKS: I do.

SENEY: Let me ask you about the leadership battles that went on in the Senate after the 1970 election. You know, Senator Burns had been pro tem, what, for 13 years, I think, and by and large, the leadership in the Senate had been pretty stable and long term, and it has been again after this sort of brief period when there were a number of president pro tem's in the Senate; unlike the Assembly where there's been some to-ing and fro-ing over the years. Now, Senator Burns was defeated as president pro tem in 1971.

MARKS: By Senator [Howard] Way.

SENEY: And you voted for Senator Way.

MARKS: I'm not sure.

SENEY: Yeah, I think you did. He appointed you head of Elections and Apportionment [Committee]. He got a 21 to 19 majority, and the articles indicated that he got your vote in this case.

MARKS: But then he ran again and I didn't vote for him.

SENEY: Well, nine months later [Senator Jack] Schrade challenged him, didn't he?

MARKS: I did not vote for Schrade.

SENEY: No, you didn't. Neither did Moscone.

MARKS: So I was thrown out of my office.

SENEY: Why did Way run against Burns? Why was there a change in leadership at that point, do you think?

MARKS: I think there was just a feeling that Burns had been there a long time and Way was a pretty good man. He was very ambitious and wanted to be leader. I don't think it was a Republican plot at all.

SENEY: Well, when you came in, as we talked last time, in 1967 in the Senate, you made it 20 to 20, so it's a dead heat. You vote for Burns and Burns stays in office. After the 1970 election, Republicans actually had a 21-19 majority, and this is the point which then Way challenges Burns for the leadership and becomes the leader and you become head of Elections and Reapportionment, which is a very important committee because we're talking about reapportionment's right around the corner.

MARKS: I was chair of the Elections and Reapportionment much later on.

SENEY: Right, another time. Exactly. I mean, you know, in 1975 this wouldn't have been a very important appointment. I mean, somebody had to warm the seat.

MARKS: It was nothing.

SENEY: But in 1970 this is a good appointment.

MARKS: Right.

SENEY: Do you recall how you got that nice appointment? Did you negotiate that with Senator Way?

MARKS: I don't think I negotiated; I think I just got it. I'm really not quite sure; I don't remember.

SENEY: See, I guess I would think as an outsider that if I'm Senator Way and I'm rounding up my votes and I want your vote and I think maybe you're wavering -- somebody else is really easily on my side, I don't have to give him too much; maybe you're not so much on my side, I've got to offer you a little better plum.

MARKS: He may have discussed it with me; I'm not sure. I really don't remember.

SENEY: Let me turn this over.

[Begin Tape 6, Side B]

SENEY: I do want you to talk, if you would, about as much as you can remember about this side of how the Senate works. I mean, again, as I said last time, this is a legislative body, this is a place where if I happen to have the privilege of being a member, you and I are going to help each other out when we can, and obviously, arrangements will be made to facilitate that. And I guess it wouldn't surprise me if he had said to you, "Well, geez, Milt, I really want you on my side," and you know, "Elections and

reapportionment's open and I know you do a hell of a job and what do you think?"

MARKS: I really cannot recall if--

SENEY: You can't recall that conversation?

MARKS: No.

SENEY: I'm trying to make it as vivid as I can.

MARKS: No, I really cannot.

SENEY: Okay. Well, you know, he did make a bunch of other changes and one was that [Senator Randolph] Randy Collier, who had been, of course, for years Transportation chairman and the father of the freeway in California, shifted when--

MARKS: Appropriations.

SENEY: Yeah, to Finance, I guess. Was it Finance? Yeah. And then when Way comes in, he's out as Finance chairman at that point. That must have been a pretty big fall for Senator Collier.

MARKS: It was. Senator Collier was a very difficult man.

SENEY: Talk a little bit about Senator Collier.

MARKS: Well, Senator Collier -- those were the days before you had any recorded votes and he was a chair and he presided by just his voice, just by hearing you and he would say, "People who vote aye," and he would vote no and he would say, "The vote is no." He would do a lot of things that were

contrary to the way in which the committee met.

I remember one time when I was a member of his committee -- the Transportation Committee, I guess it was -- and Moscone was too and there were just the three of us there -- we did not have a quorum -- and he voted contrary to the way we did. We complained to Hugh Burns and he got Collier to change his vote. It was very rare.

SENEY: And you couldn't go running to Hugh Burns every time.

MARKS: No. Very rare.

SENEY: But I guess if he chose to do this, there wasn't really much that the committee could do about that.

MARKS: There were no recorded votes. The votes are all now recorded. Every vote is now taken down by roll.

SENEY: And this is in the committee, you mean.

MARKS: Right. Every vote.

SENEY: How would you explain that kind of power in the hands of someone like Senator Collier?

MARKS: Well, he had a great power. He did have a great influence. I remember one time I had a bill, a transportation bill he didn't like at all. I said, "Well, when are you going to hear the bill?" He said, "We're going to hear it on the Sunday after the Legislature quits." So he had great power.

SENEY: Did he say this with a laugh? Or sort of?

MARKS: Sort of.

SENEY: Again, I'm curious as to what would be the basis of that kind of influence. I know, of course, that he, as head of the Transportation Committee, had a lot to say about where freeways were built around the state. This would certainly bring him into contact with construction companies that would build the freeways, the labor unions who supplied the labor on those kind of things. I mean, that would certainly have to be a source of influence.

Could he, for example, do you think, suggest maybe to some of these contractors who they might make campaign contributions to? Would that kind of thing go on, do you think?

MARKS: I never saw. I really don't know. I have no idea. He may have had that influence; I really can't tell you.

SENEY: Well, I can imagine they were happy with him, the builders--

MARKS: The were very happy with him. Those were the days when the highways had a lot of money and he was able to dole it out.

SENEY: And of course, his own district up in Eureka is a monument to his influence in that regard in terms of the highways that are built up there.

MARKS: He became a Democrat. Then when he died he was a Republican. He came back again.

SENEY: That's right, he did, didn't he? That's interesting. I mean, I had heard stories too that he would sort of run the committee any way he wanted.

MARKS: Whatever he wanted. He was in charge of it.

SENEY: Hugh Burns would make the appointments to the committee.

MARKS: No, they were done by the Rules Committee, but he probably would make a lot of suggestions.

SENEY: The Rules Committee is chaired by the president pro tem.

MARKS: Right.

SENEY: A five-member committee.

MARKS: There are three Democrats, if the Democrats control the house: the president pro tem and two members of the Democratic Party who are elected by the caucus; and then two Republicans elected by their caucus, and we vote on all.

SENEY: And they make the committee appointments.

MARKS: Right.

SENEY: Is it generally the rule that the president pro tem pretty much controls the majority party's appointments?

MARKS: Well, not too much. Not as much as the speaker did. He controls them somewhat, but the caucus does the selection. He has a great influence.

SENEY: Say at this point that now the Democrats are in control of the Senate. So you have two Democratic members plus the Democratic Senator [Bill] Lockyer, the President Pro Tem, and you have two Republican members. When it comes to selecting the Republicans who are going to be on those

committees, is that done by their caucus?

MARKS: Their caucus. They elect the people and then we approve them.

SENEY: The whole Senate approves them.

MARKS: Right.

SENEY: But they never quarrel. The Senate would not quarrel with the Republicans on that.

MARKS: No, never.

SENEY: It's a matter of courtesy and so forth.

MARKS: Right.

SENEY: Now, at this point, Mills becomes -- this is under Way -- Jim Mills of San Diego becomes Transportation chair. He had a very different viewpoint, did he not, on how the transportation system ought to be run?

MARKS: He was more equal, more Democratic -- with a small "d."

SENEY: I guess you mean in terms of running the committee itself.

MARKS: Right.

SENEY: And I'm thinking not only of that but maybe more in terms of he was committed to alternate forms of transportation.

MARKS: A lot of freeways -- I mean, a lot of rapid transit.

SENEY: Right. As you were.

MARKS: Right.

SENEY: You sponsored -- and let me see if I can find it here -- you sponsored a

measure to give some of the money from the tax fund to mass transit.[1]

MARKS: Right.

SENEY: So you certainly had that viewpoint, which is understandable from San Francisco. On that kind of a measure, would the people from Muni [San Francisco Municipal Railway] or BART come talk to you?

MARKS: Sure they did, yes. I've heard from Muni and BART all the time.

SENEY: Have you? Do you have regular contact with them?

MARKS: I do.

SENEY: Somebody over there that is likely to give you a call?

MARKS: Right. Or the commission.

SENEY: Let me ask you about some more of these changes that went on at this time. Moscone becomes Minority Floor Leader at this point of the Democrats.

MARKS: Right.

SENEY: That must have been helpful to San Francisco, I would think, to have Moscone in a leadership position.

MARKS: It was.

SENEY: Helpful to your legislation too, do you think?

MARKS: It was. Pretty helpful.

SENEY: Do you remember any times that you and Moscone were really on the

---

[1] Proposition 18 (November 7, 1972).

opposite side of the fence on anything of importance?

MARKS: I'm sure there were lots of bills but I can't recall them. There were a lot of different bills at different times that we differed.

(brief break)

SENEY:

I was asking if there were any important times when you and Senator Moscone disagreed.

MARKS: It's difficult for me to remember. I'm sure there were occasions when we did on different bills. I'd have to look at all the bills.

SENEY: None of the material you've given me, the, say, news reports, indicates at this point, that I've looked at--

MARKS: We worked very well together. We talked to each other quite a bit.

SENEY: And I suppose that makes sense, of course, since you had the same constituency.

MARKS: Right.

SENEY: Another thing that happened when Senator Way became pro tem is the number of committees was reduced from 21 to 15, so there were fewer committees. You know, did this contribute in any way to the fact that Senator Way only lasted nine months? That is, he's got six less chairmanships and vice chairmanships to hand out.

MARKS: It may have. I don't recall why Senator Schrade ran. I didn't support him. I later supported him, but I did not initially support him.

SENEY: Why not?

MARKS: Because I thought Way was doing a good job. When I was a chair, I had been appointed to a committee chair by Way and I was immediately thrown out by Schrade when I voted against Schrade.

SENEY: Which you expected would happen, I'm sure.

MARKS: Yeah, I was not surprised about it.

SENEY: Well, Schrade's constituency was a little bit interesting it was ten Republicans and thirteen Democrats, not including you or Senator Moscone, voted in favor of Schrade. Was this the Democrat's way of needling the Republicans a little bit to get Schrade in there?

MARKS: Probably.

SENEY: What was Schrade like as a leader?

MARKS: He was pretty good. He was sort of laid back. He did not seem as active as Way but he was a pretty good leader. I liked him after a while.

SENEY: Now, he was defeated by Mills.

MARKS: Right.

SENEY: Did you then vote for Schrade as opposed to Mills, do you remember?

MARKS: I think I voted for Mills.

SENEY: There are a couple of other things I want to bring up here and that is when

Schrade is elected pro tem, [Senator] Richard [J.] Dolwig and [Senator] Clair [W.] Burgener are put on the Rules Committee on the Republican side of the Rules Committee. Did you have any problem with that, with either of those two?

MARKS: I got along pretty well with them. I didn't get along with them later on too well but I got along with them originally.

SENEY: And H. L. Richardson becomes caucus chairman.

MARKS: I didn't get along with him at all.

SENEY: We'll get to that later. Apparently, you and he had a fracas and we want to talk about that.

And Deukmejian was elected majority floor leader, but he immediately resigned because he was running for attorney general.

MARKS: Right.

SENEY: Did you work much with Deukmejian? You replaced him as Reapportionment and Elections chair when Way took over.

MARKS: I worked fairly well with him. I didn't get along with him too well. I mean, personally I did get along with him pretty well, but politically I didn't.

SENEY: What was he like?

MARKS: Very conservative. Very, very opinionated. Very narrow-minded on many things and I didn't get along with him too well. I think he's better

than [Governor Pete] Wilson.

SENEY: In terms of being governor.

MARKS: That's right.

SENEY: You know, I wanted to ask you about that because, you know, clearly, Moscone had ambitions for higher office. I think that was probably always clear, wasn't it, when he was in the Senate?

MARKS: Right.

SENEY: And certainly [Assemblyman Bob] Moretti had the same kind of objectives, and even though at that time you were in the Senate you must have realized that, of course, when he's in the Assembly. Unruh, of course, had--

MARKS: I served under Moretti.

SENEY: That's right, you did, didn't you? And certainly Unruh had higher ambitions, but did you ever think Deukmejian was going to become governor?

MARKS: No, never.

SENEY: You never said, "Boy, there's a comer"?

MARKS: No, I never did.

SENEY: That pretty much surprised everyone, didn't it?

MARKS: He was pretty able.

SENEY: Did it surprise you that he wanted to be attorney general?

MARKS: No. I think he was a lawyer's lawyer.

SENEY: Very interested in criminal justice kind of legislation.

MARKS: Right.

SENEY: Well, I think to a lot of people I've interviewed, they all say the same thing, that no one ever had an inkling that he had the ambition to become governor.

MARKS: I forget who he defeated.

SENEY: For governor.

MARKS: For attorney general. I don't remember that.

SENEY: It was [Yvonne Braithwaite] Burke.

MARKS: I'm not sure.

SENEY: One of the things that I think -- and I want you to comment on this -- may have caused Schrade problems and kind of, you know, gotten him defeated was the fact that he was accused of taking $5,000 from the California Association of Thrift and Loans to support a bill.[1]

MARKS: I sort of recall that.

SENEY: Let me tell you what happened a little bit. He got a contribution for $5,000 the next day, he's vice chairman of the relevant committee here and votes in favor of it and the bill passes out. Within a few weeks the lobbyist for the association gave an interview in the *L.A. Times*. He said,

---

[1] San Francisco Examiner 2/27/90, p.4.

"Well, we gave $5,000 to Schrade because we wanted to get the maximum value for our money and make sure that that legislation passed."[1]

MARKS: I sort of vaguely recall that. I remember there was a big battle about it. I can't remember the details of it too well.

SENEY: There was one other question I wanted to ask you; maybe we'll get to it later. But you know, in 1968 you had a tough gun law passed that would send a person to prison for life for threatening to use a firearm -- using or threatening to use a firearm.[2]

MARKS: That was originally my bill.

SENEY: And you got credit for that.

MARKS: I got credit for it but Deukmejian was given credit for it.

SENEY: Oh, is that right? When he ran for governor, you mean?

MARKS: He put another bill in, the same bill, the same bill as mine.

SENEY: Ah. So, his, what, superseded yours? Was that it?

MARKS: I think it did the same thing.

SENEY: You mean when he was governor?

MARKS: Right.

SENEY: Oh, I see. That's right. Yeah, the "Use A Gun, Go To Prison" kind of thing.

---

[1] Ibid.

[2] S.B. 1143 1968 Reg. Sess., Cal. Stats., Ch. 1386.

MARKS: I was the one who started that.

SENEY: But you had it on the books. What was the origin of that bill? Why did you put that in?

MARKS: I think if you use guns you should go to prison. I've never hunted in my life. I don't mind people hunting, but I don't think that people should use guns.

SENEY: You don't own guns yourself.

MARKS: I don't have any guns.

SENEY: I'm wondering, you know, when I ask you how that happened, did the police department come to you, maybe did the prosecution, the D.A.'s association come and--

MARKS: They probably did.

SENEY: --suggest that to you?

MARKS: Probably did.

SENEY: And again, maybe they were from San Francisco, but maybe they knew what your views were on this. Obviously, if I'm a lobbyist, say, for the District Attorneys Association and I want this kind of bill--

You know, I mentioned Governor Reagan signing one of your bills. There was a really nice picture of you smiling at Governor Reagan. There was a whole crowd of you. If it hadn't been glued into the book, I wouldn't--

MARKS: The BCDC bill.[1]

SENEY: That was it, right. You looked like best buddies at that thing.

MARKS: I was glad he signed it.

SENEY: Well, he looked happy too. You looked very pleased and the room was full of smiles. Was that a tough piece of legislation to get through?

MARKS: Very tough.

SENEY: How long did that take you, do you remember?

MARKS: Several months. We had a lot of negotiations on it. Tremendous negotiations.

SENEY: Did you end up changing it quite a bit from the original bill?

MARKS: We met every Sunday night. We had a meeting every Sunday night to talk about it.

SENEY: Kind of a strategy session on how it's going, what you needed to do?

MARKS: Right.

SENEY: I know you worked with the Sierra Club on that. Who else did you work with on that?

MARKS: I think the Conservation Voters and the Bay Area Council and some other groups.

SENEY: And bringing in whoever else might be helpful.

MARKS: Right.

---

[1] A.B. 2057 1969 Reg. Sess., Cal Stats., ch. 713.

SENEY: Were the local government people helpful at all?

MARKS: They were pretty helpful.

SENEY: You mean, once maybe they realized that this probably was going to go.

MARKS: They were helpful.

SENEY: Then they were maybe even more helpful under those circumstances.

MARKS: Right.

SENEY: Yeah, exactly. You know, one of the things I wanted to ask you about, and I meant to yesterday, and again, reviewing the files reminded me too, was the farewell tribute to you in the Assembly. I loved that picture.

MARKS: They gave me a robe and a wig.

SENEY: A British style robe and a wig. You had a big smile on your face. You looked very happy.

MARKS: Yeah. I went around the whole Assembly chambers. Pictures were taken there.

SENEY: Well, and you had a paper bag in your hand, that I guess it was full of cash they'd contributed to buying the real robe.

MARKS: I think it was.

SENEY: Yeah, you had a bag in your hand and you said it was cash contributions from your colleagues for a real robe.

MARKS: Right.

SENEY: What other form did that tribute take?

MARKS: They called me up and I did not know they were going to do this. They had me stand up before the Assembly. They called me up to talk about something, then they presented it to me. They gave me this robe and I marched around the chamber. This was before I became a judge.

SENEY: Right. In honor of your leaving and becoming a judge. Well, it looked from the look on your face and the faces of the others--

MARKS: It was nice.

SENEY: --it was a good time and people were enjoying themselves.

MARKS: It was. A happy occasion.

SENEY: That's part of the kind of camaraderie that's necessary in a legislature, isn't it?

MARKS: Right.

SENEY: Where you can forget the squabbles and the disagreements.

MARKS: There was more of it then than there is now.

SENEY: More of the camaraderie, you mean. A good feeling.

MARKS: Much more.

SENEY: I noticed this morning on the debate over Senator [Quentin] Kopp's proposed constitutional amendment[1] that it got kind of hot a little bit.

MARKS: Very hot.

SENEY: Is that typical, kind of, of the way things work now as opposed to the way

---

[1] S.C.A. 2 1995-1996 Reg. Sess., (1996).

they used to?

MARKS: When they're trying to take on somebody involving the Legislature, with the budget, then that can become hot.

SENEY: This was a measure which would have lowered to a simple majority the requirement to pass the budget from two-thirds majority.

MARKS: Right, right, which we will never pass.

SENEY: I thought that was a very interesting ceremony in terms of your -- and this was done for other people. I mean, while it was a great courtesy to you and an honor to you, others were honored in the same way. Were they not?

MARKS: I don't think anybody was honored as a judge.

SENEY: Well, I mean leaving, these kind of things.

MARKS: Oh, yeah. Sure. There always are events when the -- in these ceremonies they give a resolution to everybody. When I leave I'll get a resolution.

SENEY: Right. Well, it should be a lengthy one.

MARKS: Hope so.

SENEY: I would hope so too. Talk a little bit about the 1970 reapportionment.

MARKS: I think that was basically done by [Phil] Burton. I think it was. Burton had a great influence on all reapportionment legislation. Tremendous influence. He knew the districts of everybody. I think I worked with Bob Crown -- I think I did with him. Even though I was in the Senate -- he was

in the Assembly -- I think I worked with him. The legislation wasn't too controversial as I recall.

SENEY: Well, remember there was a fair amount going on. First, the real problem was that the Assembly was in the hands of the Democrats. The Senate was tied 20 to 20, and with the lieutenant governor being Republican. And Governor Reagan, a Republican, was the governor. So you didn't have the situation you had in 1960 where both houses were Democrats and the governor was a Democrat. The same situation you had again in 1980 where you had both houses Democratic and the governor Democratic. My understanding was that the Republicans and Democrats at one point had worked out a reapportionment and Governor Reagan refused to sign it, especially based on the Assembly reapportionment.

MARKS: Yeah, I do recall that. I think he refused to sign it and they went to the courts.

SENEY: Yes. It eventually ended up in the courts.

MARKS: The governor was stupid about that because it hurt the Republicans very badly. The court decision hurt the governor and the Republican Party badly. I remember it.

SENEY: The Senate plan would have maintained about a 20/20 split.

MARKS: Right. And it was later changed.

SENEY: Right. And the Assembly plan would also have pretty much maintained

the partisan split. Do you remember what was going on from that period up to 1973 when the courts took it over in terms of what would have happened to your Senate seat and Senator Moscone's seat?

MARKS: I think mine would have been maintained. I'm pretty sure they were the same. I think they were still citywide.

SENEY: Now, one of them had to go though, didn't it, because after that reapportionment, were there still two senators elected?

MARKS: There were two senators.

SENEY: You still had two from San Francisco.

MARKS: Right.

SENEY: There was some feeling though that Moscone -- he did run for governor in '74.

MARKS: He was talking about running.

SENEY: And he did stick his foot in the water but pulled it out pretty quickly.

MARKS: Right, right.

SENEY: So that if it were necessary to remove one of those seats, he wouldn't have lost out; your seat would still have been there. But after the '73 apportionment was put in -- the first time you ran under that new apportionment plan was the '74 election, right?

MARKS: I think so.

SENEY: You know, Moscone was still in the Senate and you had been elected to a

full term in '68, so you had to run for reelection, as we know, in '72, and then you had to run again in '76.

MARKS: Right.

SENEY: Moscone had been re-elected to the Senate in 1970, had he not? And then again he would have been reelected in 1974 because he ran as Senator for mayor in 1975, and we'll get to that election. But all along, that plan would have maintained two senators in San Francisco then.

MARKS: Right. We represented the whole city.

SENEY: So there was nothing for you to quarrel about or worry about.

MARKS: No, we were fine.

SENEY: Because I would think that, you know, you might be a little bit nervous. I mean, there might be some cause for anxiety considering what had happened to you in your Assembly district. This would be something you'd keep a pretty close eye on and you'd been reapportioned out once.

MARKS: That came later on.

SENEY: No, I'm thinking of the Assembly district, when you were reapportioned out of that Assembly district in 1965. So now we're at 1971, in your Senate district.

MARKS: I don't think I had any fear of being affected by the Senate seat.

SENEY: You weren't bothered by it.

MARKS: No, I wasn't.

SENEY: Okay. Good. Let's talk a little bit more about the 1972 election because I've looked up some more things and I have some more facts.

MARKS: Who'd I run against then?

SENEY: You ran against Mr. Pelosi again in that election and beat him very handily. And one of the things that was interesting, I thought, was that you kind of had Willie Brown's unofficial endorsement during that campaign.

MARKS: I did.

SENEY: How did that work? Why was that?

MARKS: Willie and I were very friendly for years. I don't think Pelosi was part of his group anyway. Willie Brown did help me. He was very supportive of me. I'm not sure that he campaigned for me but he let everybody know he was for me.

SENEY: And that he was not for Pelosi.

MARKS: That's right.

SENEY: Clearly, as you say, you were friends, but was more of it, do you think, that maybe he didn't really want Pelosi gaining an influence that might cost him something? I guess if I were Willie Brown and I were interested in being a real player in San Francisco and I'm a Democrat, I don't know that I would want another Democrat like Pelosi in office.

MARKS: Probably. I don't think he was part of the group, Willie Brown's group.

SENEY: Well, Willie Brown was part of the Burton group and the Burton machine, so called, certainly did not help Pelosi at all.

MARKS: No, they didn't.

SENEY: They stayed out and they stayed neutral. Did they ever talk to you about that? Did Phil or John Burton ever come to you and say, maybe in passing, say, "Well, you know, Milton, we're not going to be supporting Pelosi here on this"?

MARKS: I think Brown did, but I don't know whether the other people did. I don't think they did.

SENEY: Let me turn this over.

[Begin Tape 7, Side A]

SENEY: Go ahead, Senator.

MARKS: I used to have a lot of breakfasts with Willie Brown. We'd eat upstairs in the cafeteria many times.

SENEY: Here in the Capitol building.

MARKS: I used to talk with him quite a bit. I was very friendly with him. In fact, I tried to help him become the speaker of the Assembly the first time.

SENEY: Oh, did you? What did you do for him?

MARKS: I said I would talk to some Republicans. I did. He didn't win.

SENEY: This was when Mr. McCarthy beat him in '74, right. Did you feel

\

disposed to help him because he'd been helpful to you?

MARKS: He was helpful to me. I was friendly with him. Ed Gaffney was my seatmate so I wasn't happy when he won, when Brown won, but I became friendly with him as time went on.

SENEY: Well, even if you're unhappy initially, reality is reality, isn't it, and you have to go along with the changes that happen to occur. And you must have seen and understood that Brown was a pretty capable politician.

MARKS: Extremely able. One of the best politicians there is.

SENEY: And likely to be around for a long time. And an ambitious guy.

MARKS: Right. Very able.

SENEY: Why do you think that Pelosi wasn't part of the Burton machine? Do you know anything about why he wasn't?

MARKS: I really don't know because I wasn't a Democrat then, so it was hard for me to recall. I don't think he was part of the machine.

SENEY: Well, he clearly wasn't.

MARKS: He conducted a terrible campaign. I really devastated him. I attacked him on the TV tower. I said that he'd built the TV tower which prevails over San Francisco. I blamed him for that. I blamed him for the freeways. I blamed him for everything you can think of.

SENEY: Well, you know what he did with you, as you well know, is he tried to claim you were Ronald Reagan's best buddy.

MARKS: That's right, he did -- which I wasn't.

SENEY: You know, on the last tape you've said several times, and even though you said it a couple of times and essentially repeated yourself, that's fine, because you felt strongly about that, so when somebody reads the manuscript they'll see you've said it here and then they'll see you've said it again and then they know what the quality of your feeling is and the intensity. It helps that kind of repetition.

MARKS: I think [Senator] Peter [H.] Behr put out a circular with me.

SENEY: Did he? The senator from Marin County. Well, that must have been infuriating.

MARKS: It was infuriating, because God knows, I was not friendly with Reagan at all and to be blamed by him, and he was trying to make me a Republican's Republican, I was trying to demonstrate that I was a nonpartisan and that I was not part of the Reagan machine. I issued a circular showing that I'd voted against Reagan on a number of occasions.

SENEY: You know, the initial polls that apparently Pelosi had taken -- I know Dunlevy & Associates took a poll on the political situation in San Francisco, but there was a poll, and I'm not sure if it was a Dunlevy poll or whose it was, that showed he had about a 50/50 chance initially to beat you and apparently that's what convinced him that he ought to make the run against you. Again, he looked at here's the city of San Francisco, over

\

70 percent Democratic--

MARKS: It was 17 percent Republican. He was president of the board of supervisors; he had great power.

SENEY: Right, and was tagged as an up-and-coming guy.

MARKS: He was sort of a charming man.

SENEY: And in the files -- and I really appreciate the fact that in your files, not only do you have your material but you went out of your way to collect his campaign material as well, and one of the things that I thought was interesting, that there were frequently things in there that people had sent you that he had sent them with little notes, "Milt, I thought you might be interested in this." In fact, one individual sent you a copy of a small claims court action that he had filed against Pelosi for nonpayment of rent. Do you remember that?

MARKS: Yeah.

SENEY: Did you ever use that?

MARKS: No.

SENEY: Apparently, your son had been injured at this point. Do you remember one of your boys being--

MARKS: He was hit by an automobile.

SENEY: That was what it was because he said, "I was so sorry to hear about your son. Hope he's doing well." Well, I take it all that was resolved and

\

there's no problem with that?

MARKS: He was in a cast for months.

SENEY: Well, there was a little note about your boy and, "I thought you'd be interested in seeing this," and here's this Xerox copy of Pelosi not paying his rent on something or other for a couple of months.

MARKS: He was in the real estate business.

SENEY: I'm not sure what it was. So it was interesting to see that this material was in there. And again, one of the things that emboldened him was that, in fact -- in fact, it was worse than 50/50. I misquoted myself here. Early surveys showed, according to an *Examiner* article[1], that Pelosi had 41 percent and you had 29 percent. Now, this was an article on April 29, 1972, and certainly, if I were Pelosi and saw those kind of figures, I think I might be encouraged to take a run at you as well.

MARKS: I just devastated him.

SENEY: Well, you really turned it around; there's no question about it.

MARKS: I had a very good campaign.

SENEY: In this case, you hired Ron Smith to manage your campaign.

MARKS: Right.

SENEY: Was this the first time you'd ever hired a campaign manager?

MARKS: Probably.

---

[1] San Francisco Examiner. April 29, 1972, p.16.

SENEY: And I guess that must have indicated that you took this pretty seriously, Pelosi's challenge.

MARKS: Ron Smith is very good.

SENEY: Well, he had run one of [Diane] Feinstein's campaigns.

MARKS: He was a Republican.

SENEY: And he had run Wilson Riles' campaign for state superintendent of public instruction. What his advice was to you was to start talking up your conservation record, what you had done in terms of conservation. We'd call that environment now but it's the same thing. According to the newspaper article, by the time Pelosi even gets into the race, you're sort of "Mr. Conservation."

MARKS: I got a record from the Sierra Club that I had a hundred percent record, that I had the best record of anybody in the Legislature, or something like that.

SENEY: Did they endorse you in this race?

MARKS: I'm not sure.

SENEY: I know they did in other ones. And then you put out an ad entitled, "What Milton Marks Has Done For Families." Do you remember that?

MARKS: Yeah.

SENEY: And apparently this appeared on sort of the, you know, the supermarket throw-away racks out in front where you can get the TV guide free and

then real estate thing and so forth, and you kind of did a little preemptive strike on him there to begin with. It sounds like Smith gave you some pretty good advice in this case.

MARKS: He was very good.

SENEY: You know, one of the things that was in your file -- and I took the liberty of bringing one along because there were four copies of this in the file. I hope you don't mind if I took one and borrowed it and brought it along here, and I brought the one that somebody had doodled on. Is that your doodling? You're a doodler, aren't you, Senator? A little bit?

MARKS: I doodle. Where's the doodle?

SENEY: Up here on the top. Did you--?

MARKS: Oh, probably. I probably did that.

SENEY: Because some of the other papers I've seen doodling on and I think that might be yours.

MARKS: Probably.

SENEY: The *Foghorn*[1] is the University of San Francisco publication.

MARKS: Right, right.

SENEY: And you and Pelosi had a debate there. Can I refer to this a little bit?

MARKS: Sure.

SENEY: Okay, good. What happened here was it was an unscheduled event that

---

[1] The San Francisco Foghorn vol. 67, No. 13, October 27, 1972.

you and Ron Pelosi met in the *Foghorn* offices for a kind of question-and-answer period with editorial staff apparently of the *Foghorn*, and the issues raised from the Equal Rights Amendment to the environment, and they addressed both of you on these various subjects. The marijuana initiative[1] came up, and that you supported, the marijuana initiative.

MARKS: I did.

SENEY: That was to decriminalize amounts for personal use of marijuana.

MARKS: Right.

SENEY: And Pelosi, although he said he was in favor of the legislation of marijuana -- and that sounds like a misprint -- would not support Proposition 19 as it stood. That seemed to me, in San Francisco, particularly at this time in 1972, to be unwise.

MARKS: That was stupid.

SENEY: It was, wasn't it? Because Proposition 19 passed in San Francisco. It did very well. It failed overall but it passed in San Francisco.

MARKS: Right.

SENEY: You must have had a strong feeling about how this proposition was going to do. Did you have a sense that it would pass?

MARKS: I felt San Francisco was a city that would support it.

SENEY: Did this enter into your judgment, do you think, in terms of supporting it

---

[1] Proposition 19, November 7, 1972.

too?

MARKS: No, I think I was for it anyway.

SENEY: And would have supported it anyway.

MARKS: Right.

SENEY: Because in this very same election, consistent with your beliefs that you've expressed before, you opposed the death penalty amendment[1]--

MARKS: Right.

SENEY: --which actually passed in San Francisco and passed 54 percent, which was a big surprise. Was that a surprise to you?

MARKS: Yeah.

SENEY: It got 67 percent of the vote statewide and 54 percent in San Francisco, and you apparently weren't the only one surprised that it had passed in San Francisco.

MARKS: That's right.

SENEY: As you know, there are very strong feelings on the death penalty.

MARKS: Most people think it's great.

SENEY: That's right, and it goes right across the spectrum.

MARKS: But I've voted against it forever, whenever it's been here. I don't vote for any bill that supported the death penalty.

SENEY: And then it goes on to equal rights for women. You support equal rights

---

[1] Proposition 17, November 7, 1972.

for women and were in favor of liberalizing the abortion laws, which were subsequently liberalized. Mr. Reagan signed that legislation

MARKS: I remember that. The [Assemblyman Anthony C.] Beilenson bill.[1]

SENEY: The Beilenson bill, exactly. And you stated that (quote), "Since this was a personal matter for the woman,"[2] (end quote), there should be no legal restraints on this. Pelosi had previously supported the Equal Rights Amendment but then was informed by the lady garment workers' union and the farmer workers' union that "women in labor would have no protection for hours under the law"[3] -- I'm quoting the article here. "He felt that until provisions for labor laws were expanded for both sexes, he could not work to discontinue present preferential labor treatment for women."[4] Again, that seems like a--

MARKS: Silly.

SENEY: --strange position, isn't it? You said, "silly," and you said it kind of quietly and I'm not sure the tape picked it up.

MARKS: It was sort of silly. Some of his positions were ridiculous.

SENEY: And it goes on. On abortion, he remained in favor of the present laws in

---

[1] A.B. 462 1959 Reg. Sess. Cal Stats., Ch. 327.

[2] The San Francisco *Foghorn* op. at. p.1.

[3] Ibid

[4] Ibid

the state of California, and those were for abortions only in the case of emotional pain and--

MARKS: He was Catholic.

SENEY: Ahh, I see. Physical harm to the mother.

MARKS: Not that all Catholics are that way.

SENEY: But yeah, this would certainly be a factor frequently in a person's political views. But again, he almost sounds like what one would think of as the Republican candidate and you almost sound like the Democratic candidate under these circumstances here.

MARKS: That's right, I did.

SENEY: And an interesting debate ensued concerning Propositions 3[1] and 8[2] which Marks favors and Pelosi opposes. Both of them are providing big business polluters with incentives for pollution control. And let me remind you what Proposition 3 did. That provides for the state to "sell pollution control devices to companies. These devices will be financed by floating bonds."[3] Now, the opponents thought that the major cost of these devices would fall on the public who were suffering from the pollution, but I guess

---

[1] November 7, 1972.

[2] November 7, 1972.

[3] Ibid

your view would be pollution's eliminated so does it matter--

MARKS: That's right.

SENEY: --and would you get the polluters to do this if you didn't give them an incentive to do it.

MARKS: Right, right.

SENEY: Proposition 8 provides for tax exemptions for companies if they install pollution devices. And then you go on to say -- and it's not quoting you directly but summarizing you here -- "Marks maintains that in supporting these propositions, businesses will be able to start on cleaning up air, water, and land. He remarked," -- meaning Marks -- "he remarked that 'Presently, there is no state agency which enforces pollution violations. Polluters then can continue with only meager fines to compensate for their destruction of the environment.'"[1] In other words, it not enough to stop them, the meager fines. Pelosi feels that these are just kind of giveaways to big business.

But anyway, I thought this was very interesting when I read it here. You know, one of the things that, delving further into environmental stands of both candidates, "Marks noted that he has authored several bills dealing with the institution of state parks and preservation of natural areas.

---

[1] Ibid

He's also been a strong participant in the BCDC legislation,"[1] and that's -- tell me again what BCDC stands for.

MARKS: The Bay Conservation and Development Commission.

SENEY: That's it. "And instrumental in legislation for saving the bay. Pelosi questioned this, stating that he" -- Marks -- "failed to take a public stand on a proposal to build a U.S. steel building on the city's waterfront,"[2] an issue that Pelosi vigorously opposed. That's about the end of it here. There's a few things about BART and that Pelosi is against the sales tax increase, which you supported. What do you make of all this?

MARKS: Well, I just felt that I was more receptive to the people of San Francisco than he was. He just had a narrow view. I couldn't understand his view. He was trying to attack me as being very close to Reagan, and I wasn't.

SENEY: Well, I've got some poll figures here that I want to remind you of, and I think they're very interesting because here in April, middle of April, it looks like it's Pelosi - 41 percent, Marks - 29 percent. Now, by the week of October 9th to 18th -- about a month before the election -- things look very different. This is, again, the Dunlevy poll.[3] All parties combined, you've got 56.2 percent of the vote and he's got 34 percent of the vote.

---

[1] Ibid

[2] Ibid

[3] Private poll conducted for Mark's campaign. From Senator Mark's personal files.

Among Republicans -- now, they're not all that numerous of course -- but you've got 88 percent of the vote and he's got 7.2 percent. But even among Democrats at this point you're beating him 44 percent to 43 percent in terms of that. And you know, another factor here was the [George] McGovern for president race. Do you remember what Pelosi's view was on that?

MARKS: He probably was for McGovern.

SENEY: Well, I'm sorry, I should have told you because he really wasn't; he didn't really support McGovern. And the McGovern people, if you remember, refused to distribute his literature.

MARKS: Now I remember that. You're right.

SENEY: The McGovern people would be doing doorbelling and he said, "Gee, will you take mine on," and they said, "No, we won't."

MARKS: Right. I remember that.

SENEY: And there were even reports on election day that the McGovern poll canvassers were saying, "C'mon, vote for George McGovern, and make sure you vote for Milton Marks, too, while you're at it." You know, you even beat him in his own precinct. Do you remember that?

MARKS: I do.

SENEY: I mean, you trounced him in his own precinct by about three to one.

MARKS: I know. He had a terrible campaign. That was one of the best campaigns I

ever had.

SENEY: Well, you know, for such a strong candidate to begin with, he really played into your hands.

MARKS: I had a series of very good brochures.

SENEY: Did you make any mistakes in that campaign, do you think, important ones?

MARKS: I don't think so. Probably did, but I don't think so.

SENEY: By the way, in this precinct around the University of San Francisco here, where the *Foghorn* appears, you beat him two to one, which I thought was very interesting. I don't know how much the coverage here in the *Foghorn* had to do with that and how much the students read it and pay attention to it, but you'd think that would be a heavily Democratic precinct, wouldn't you, with students in that period, but you beat him two to one, beat him very handily. Even in the precincts, in the Fillmore district where McGovern got all but four of the votes, Pelosi could hardly beat you in some of those and didn't beat you in other ones, which would indicate Willie Brown's hand was at work there supporting you in those precincts.

MARKS: Probably.

SENEY: This was a very deep and wide success for you.

MARKS: I think I had a brochure with Willie Brown in it.

SENEY: Did you?

MARKS: I think I did, the two of us standing next to each other. I'm pretty sure.

SENEY: You wouldn't have put something like that out unless you knew Willie was neutral, would you, on that? I mean, that isn't done.

MARKS: No.

SENEY: This race must have felt pretty good to you. Did it?

MARKS: It felt very good.

SENEY: Did you feel like maybe that whatever else they threw at you in the future you were probably going to do all right, do you think?

MARKS: We had a tough battle.

SENEY: Well see, you always run like you're going to lose. I mean, that's why you win so well.

MARKS: But the district was so terrible. The district is unbelievable when you see that 17 of a hundred are Republicans. Seventeen you probably could put them in this room.

SENEY: But you know, the Marks' name is a winning name in San Francisco.

MARKS: Hope so. I hope it is for my wife.

SENEY: I was going to ask you about that. How does it look for her, do you think, at this point?

MARKS: It looks very good. Nobody's turned her down. Nobody.

SENEY: Now, I should say here that what we're talking about is the fact that Mrs.

Carolene Marks is going to be running for the board of supervisors. Is this in March?

MARKS: In November.

SENEY: The election's in November. And when you say, "Nobody's turned her down," do you mean--?

MARKS: She's called hundreds and thousands of people and nobody has refused to support her. Nobody.

SENEY: So she'll have the kind of long list of endorsements that you're accustomed to having.

MARKS: I've helped her too. I make a lot of telephone calls for her.

SENEY: Well, how does it feel to be able to pay her back after all the help she's given you?

MARKS: It feels very good.

SENEY: Does it?

MARKS: Yeah.

SENEY: Because I know she's been a big help to you over the years.

MARKS: She has.

SENEY: Obviously, she's someone -- and why don't we talk about her for a minute because I do want to talk about her contributions to your career. She's someone whose political instincts, I take it, you think are pretty good.

MARKS: They're pretty good. I think that she's not quite as liberal as I am, but

almost. Pretty much the same. She's an extremely good speaker, very well organized, which I am not. She does a lot of my scheduling and she makes a lot of speeches for me.

SENEY: And I suppose one of the most important things is that she's willing to put up with the kind of life that someone who is in politics has.

MARKS: She has. We've been married 40 years.

SENEY: And that's very important, isn't it, because -- you know, I had the privilege of knowing Senator Moscone a little bit. Not a lot, just a little bit, and I don't want to overstate it. And I know that Mrs. Moscone was not particularly happy about his political career.

MARKS: No, she wasn't.

SENEY: And really didn't like political people in the house and tried to keep the family life separate from that. That makes it much more difficult, doesn't it, on a person like yourself.

MARKS: My wife has been a great help to me. I really think you get two for the price of one.

SENEY: I see. But again, probably enjoying politics as much as you do means it's not an imposition on your relationship or your home life.

MARKS: It's tough. The telephones ring all the time. I've always had my number listed in the telephone book. Always.

SENEY: I know you have.

MARKS: We've never changed it.

SENEY: And your address, people know where you live.

MARKS: Right.

SENEY: Have you had any problems with that?

MARKS: I once was bombed.

SENEY: Oh, you were! When was that?

MARKS: Oh, many years ago. Someone put a bomb up under my car.

SENEY: Why?!

MARKS: I don't know.

SENEY: They never bothered to tell you?

MARKS: Never found out.

SENEY: Well, I think a fellow would want to know why somebody was trying to blow him up!

MARKS: I don't know. We tried to find out but we couldn't find out.

SENEY: Did it actually go off?

MARKS: Yeah.

SENEY: Do much damage?

MARKS: No, not too much.

SENEY: It must have given you a little pause for reflection.

MARKS: I took my address out of the telephone book.

SENEY: At that point.

MARKS: But my telephone number's in the telephone book.

SENEY: Right. Huh, that's interesting. And not much fun, I must say. You know, there was some other issues on the ballot in 1970. There were a number of controversial ones. We talked about the marijuana one, which you endorsed, which carried San Francisco. And the death penalty one, it lost in San Francisco. Not by a lot but it lost in San Francisco. I said it passed in San Francisco and I misspoke. It lost only by 11,000 votes in San Francisco. I should have referred to my notes.

There was also the anti-busing initiative[1], if you remember. Do you recall that one? Did you take a position on that?

MARKS: I was against it.

SENEY: And I'm not sure if it passed or not in San Francisco.

MARKS: It probably didn't.

SENEY: And then there was Proposition 20[2], the coastal initiative.

MARKS: I was very much for that.

SENEY: And that did pass.

MARKS: Yes. I supported that very much.

SENEY: That one did very handily throughout the state actually. It was highly

---

[1] Proposition 5, November 7,1972.

[2] November 7, 1972.

supported and so forth.

MARKS: Not so well supported now.

SENEY: No, it isn't, is it? How times change. By the way, maybe I asked you who you voted for in that '72 presidential election, McGovern or Nixon. Think you voted for McGovern?

MARKS: It's hard for me to remember. I really don't remember.

SENEY: I was just thinking of your feelings on Nixon, if you could bring yourself to vote for him.

MARKS: I wasn't as against Nixon then as I am now. Now I think he was lucky he didn't go to prison.

SENEY: You know, I want to ask you now about something you alluded to before and that's the problem with H. L. Richardson. This was over Senate Bill 700[1], a bill that created summer jobs. Did that pass, by the way?

MARKS: It did. I sort of had a crazy idea that I thought the summer job bill should be brought up in the summer. I felt that it should not wait until November.

SENEY: Well, this is the end of the session, right?

MARKS: So I got up on the floor and I moved to have the bill heard earlier and I said it twice. I mean, nobody heard me. I said it the second time. So he came over to me and yelled at me and screamed at me, "What right have you got to do this?!"

---

[1] S.B. 700 1973-1974 Reg. Sess. (1973). The Bill passed both houses of the legislature but was vetoed by Governor Ronald Reagan.

SENEY: Because it passed. The chair saw no objection and so it went through.

MARKS: So I said, "Well, Bill, let's stop arguing on the floor. Let's go in the lounge and talk about it." And we went into the lounge and he hit me there.

SENEY: Well, he claims you used some vulgarity, Senator.

MARKS: I probably did.

SENEY: He said you called him, quote, "an ass,"[1] end quote.

MARKS: I probably did.

SENEY: And "a narrow-minded bastard."

MARKS: I probably did. I probably did. He was.

SENEY: That's pretty unusual, to put it mildly.

MARKS: I came out on the floor. I was bleeding terribly. They got so annoyed at him they sent him home. They had him go home. I stayed on the floor of the Senate. I put a bandage on my lip and I wore it for a month, the same bandage. I changed it once in a while but just to annoy him.

SENEY: Well, your picture was in the paper.[2]

MARKS: That's right.

SENEY: Do you mean he was expelled from the Senate essentially for the day?

MARKS: They told him to go home.

---

[1] San Francisco Examiner June 23, 1973 p.1.

[2] Ibid

SENEY: Before it came to that.

MARKS: That's right. A lot of the Republicans wanted me to sue him. I should have. I didn't. I didn't talk to him for months.

SENEY: Did he ever come and apologize?

MARKS: Never. Never. He'd get very bitter toward me. The only time we talked to each other was when Governor Reagan had a bill that he'd vetoed of John Burton's[1] and I said I was going to vote to override the veto, and Reagan's office called me up and threatened, if I voted to override the veto, that they'd run somebody against me. I was a Republican then. And I said, "The hell with you. I won't be belittled by you at all." I got up on the floor of the Senate and I recounted the whole conversation. The whole conversation. I said, "I'm going to vote to override the veto." And then Richardson came over to me, he said -- we hadn't talked at all -- "I want to talk to you. I'm going to vote to override the veto too." So we both did. It was the only veto of Reagan's that was ever overridden.

SENEY: That was a public works bill, wasn't it?

MARKS: No, it had something to do with mentally disturbed people. The *Chronicle*[2] had a big cartoon showing two tanks approaching each other. It said one was Reagan, one was Marks fighting each other.

---

[1] A.B. 855 1973-1974 Reg. Sess., Cal. Stats., Ch. 4 (1974).

[2] San Francisco *Chronicle* January 31, 1974 p.36.

SENEY: That was a pretty heavy-duty thing for the people in the governor's office to do, wasn't it?

MARKS: It was terrible, disgraceful. It was disgraceful to call me up as a Republican to tell me they were going to run somebody against me. I said, "You can't do that. To hell with you."

SENEY: Well, that would have been a godsend for you, wouldn't it?

MARKS: Sure.

SENEY: That would have ensured your victory in the primary, I would think.

MARKS: But I said, "You just can't do that." Reagan got on the microphone and said that the person had never said the thing to me. I said unless he had was listening in on the conversation, he couldn't have told what he said.

SENEY: Ah. So he denied it, you mean, to the press.

MARKS: Denied it. It got very bitter. And Richardson and I didn't talk to each other for months.

SENEY: But this brought you back together.

MARKS: When we voted to override the veto -- the veto which he threatened me on.

SENEY: That's amazing that they would be so crass as that. Did you ever have an experience like that any other time?

MARKS: Well, Richardson later on put an ad in the Marin County newspaper to run somebody against me.

SENEY: Oh, he took out an ad trying to recruit a candidate?

BANC
MSS
2002/336
c
v.1

U. C. BERKELEY LIBRARIES
C083039175